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LABOR AND DEMOCRACY

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Labor and Democracy

By

WILLIAM GREEN

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Manufactured in the United States of America

TO THE WORKERS OF AMERICA
IN WHOSE HANDS RESTS THE FUTURE
OF DEMOCRACY

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LABOR AND DEMOCRACY

CHAPTER I

THE UNION AND COLLECTIVE BARGAINING

IN my earliest recollections, the day began when father took his lunch bucket and went to the mine where he stayed all day, and ended with an evening meal by lamplight followed by bed. In the intervening hours came play but with only such playthings as we could devise, and then school. School I liked—my mind was active and I made my way easily through such books as were available. Our school like all our houses was bare, for ours was a mining village which provided scanty resources. My father, an English coal miner, had brought his Welsh bride to Coshocton in 1870, hoping for a better life in the New World. As was his habit in England, he joined the union and attended union meetings regularly. We children in the home associated work with the union as a matter of course. Practically everybody in our little community worked in the mines or was employed by the coal company. The children of our household played with children of other miners' families, and all of our homes were alike. Sometimes we were cold and did not have enough to eat. Our home was without comforts and there were not enough beds for us all to sleep comfortably. We never heard any complaining about the necessity for work, only thankfulness when work was steady and income dependable. At the best father's income provided only necessaries.

Life in our mining town was simple and its only

excitements were the ups and downs in human living. From the newspaper point of view, nothing ever happened except mine accidents, but from my boyish point of view there were thrilling happenings like going to church on Sundays and seeing everybody else; meeting with other boys to go fishing on summer days; lying on the soft earth under the summer sun; sitting on the front steps in the summer evening and listening to father and mother and the neighbors talk, often telling of life and work in the Old World and the many things that happen to any family but which are important when they happen to those you know. As I heard mother and father talk of their old homes I felt so sorry that they had left such good homes. Later I came to realize they were two of many disillusioned persons who came to the New World with high hopes of opportunity and plenty for all and found only the primitive conditions of a new continent and the hardships of creating a new civilization. The union was the one factor in their life in the New World which linked them with the Old and brought some sense of security which deepened as the union itself became secure.

When I was fourteen the railroad headed for central Ohio reached our village and I got a job as water-boy at fifty cents a week for carrying water to the men building the road-bed. I worked hard to have water for the men when they wanted it. I watched them work and listened to their talk with an interest equalled only by fascination of the train that later carried our coal to market—a link with the outside world.

With the background of this experience of life in a working community I went into the mines at sixteen as

the normal course of life and without any feeling of self-pity on my part. On the contrary I was glad to take on a man's work in order that I might have the income, for in our family we never had enough of anything. Our house was crowded without enough space for living or sleeping, our clothes were worn out long before we would have had new ones, our simple food was often inadequate for the needs of young children. Mother's brown eyes were often very serious and filled with tears when she could not give us what we wanted.

As soon as I was physically mature I went down into the mine with father, carrying my dinner bucket as he did. We first stopped at the blacksmith shop to get father's tools which he had left overnight for sharpening. Down into the pit of the mine we went with only our oil mine lamps to guide us in the complete darkness. That was before the days of the safety lamp or electricity. As we went down the shaft father picked up his powder box and shovels and went into his work room and there before us was the working face of black coal. I helped get out the coal he loosened and loaded it into cars to be carried up. I watched him work, helped him, and then he let me begin to use the tools. When I was able to use them I bought my own—at the company store. It was all hand work then. Father drilled holes in the coal and filled the holes with powder ready to be fired. Sometimes he sent me back and fired the shots and, quickly joining me, we waited until the smoke had cleared away. Sometimes all the shots would be fired at night by a shot-firer. Working with father I learned my trade. I learned how much precision of hand and judgment based on experience was necessary

in this work, for too liberal use of explosives ate up miners wages and broke up coal unnecessarily and increased danger of accidents from falling roofs and pillars. Inexpertness cut down production and diminished income for the miners.

After shots were fired I helped load the coal on mine cars which were then hauled to the bottom of the shaft for hoisting to the surface where the coal was dumped and weighed. As the work became familiar to me I began to find what caused discontent. On pay-days father got an envelope which contained very little money. The company owed him for the coal he had mined which was recorded in tons. The company weighed only such coal as remained after the coal passed over the mine-screen (which was 12 feet long, 6 feet wide and 1¾ inches between bars.) Sometimes there seemed to be a credit for less than he knew he had got out, but of course father could not prove his point. Father would owe the company for house rent, for food and clothing bought at the company store, perhaps a payment for the company doctor, for powder and for sharpening his tools and perhaps for tool replacement. As his pay was only $1.50 a day, there was little real money coming to him.

As the novelty of employment gave place to working experience I began to appreciate how the union served the miners. I went to union meetings with father and as a matter of course became a member. At meetings the miners talked of work relations and decided what would be asked as a fair standard in work conditions, hours of work and pay, and how disputes should be

adjusted. The union elected a pit committee which took up matters with the mine foreman when miners felt they were not getting a square deal. There were many disputes over weighing coal until our union arranged to have a union representative act as check-weighman, checking the records of the mine-weighman. It is obviously sound business practice to have representatives of both miners and management at this key operation, and the practice frees management from illegitimate complaints. There was the other basic problem of what should be weighed. Miners received no pay for the coal that went through the screen, although it could be sold on the open market. When the companies forced as much coal as possible through the screen, we felt cheated. The miners contended they should be paid on a run-of-the-mine basis—the tonnage before any deductions were made. The company contended it paid a higher rate on a mine-screen basis. But discretion of the management was involved with no guarantee of a square deal. We were never able to deal with this problem through the union, but my first move when I was elected to the Ohio Senate was to introduce a bill abolishing the mine-screen. Coal operators and representatives descended in force upon Columbus. The battle was fierce but the bill was passed and signed. The passage of the Ohio Mine Run Law was hailed as the liberation of miners from an unfair practice that created ill-will.

In the early days miners paid a considerable share of the expenses of mining. We used our own tools and kept them in shape for work, bought explosives from

the management. These were drains on our small earnings. As we bought from the company store we paid what the company asked without any way of knowing whether the price and quality were fair. As machine tools came into use, the company assumed that cost of production, but we were not able to establish uniform practice as to the costs of explosives and the sharpening of tools. However, for the most part, the better managed, more profitable mines assumed this expense as a cost of production.

Since miners had to live near the mines in those horse and buggy days, coal operators usually provided houses, stores and the more essential services for the men who worked in their mines. The company town assured the operators of very complete control over the lives of the miners they employed.

So, on every side, I found the power of the company. The house in which we lived belonged to the company. Our tools, our powder, our food, our clothing we bought at the company store. On pay day the company deducted all credits charged against us at the company store and paid the worker the difference. We often felt the prices of the things we bought were too high but there was nothing we could do about it. Often we didn't like the quality of the things in the company store but we had no choice. Often we felt the medical service we got was inadequate but there was nothing we could do about it. The company took from each pay envelope the worker's contribution to the doctor's salary. The company fixed its own prices for our powder and our tools. Sometimes we paid the blacksmith for sharpening them, sometimes the company.

Such was the life of the miners when I went into the mines. After the day's work was done we had little time or energy for recreation, and practically no facilities. There were neighbors and the community and churches. As I liked people I was never without an interest, talking to neighbors and learning things from my elders.

As I learned the trade of a miner and got on my own I began to learn for myself these miners' problems: A miner may work ever so hard but unless his output is weighed correctly, he will not be fully paid. The two standards of payment that definitely condition our lives and those of our families are rates of pay and hours of work.

The only convincing argument that we could use with the foreman was to show that the existing practice was contrary to a provision in the union agreement which the mine operators had signed with the union officials. Every miner knew the provisions of that agreement which had been relayed to us at the time of negotiation and which was referred to in practically every union meeting.

I went to union meetings regularly for it was one of our few opportunities to meet with other people. I liked to listen to the discussion and now and then ventured to ask a question or to make a suggestion. The president of the union asked me to serve on many committees so that I soon knew everybody in the union. Then the union began electing me to office—secretary, treasurer, and president. It was my satisfaction to work for my fellow miners. As an officer of the union I was accepted as having a responsibility for the miners and conse-

quently designated to serve in emergencies from which no miner can be secure.

The whole mining village lived under the shadow of fear of mine accidents. Pillars might give way, too heavy explosions bring down the roof, gas might collect or explode, the mine fan fail to work. One-third of the miners died as a result of accidents. Life might be snuffed out in the darkness of the mine at any time. Miners could get no insurance to tide their families over the loss of income-earner. The one source of help to which miners could tie with any sense of security was the union. Only the union worked for them and their families.

As a youngster I became accustomed to the signal by which the management gave notice of catastrophe. Old and young hurried to the mouth of the pit and waited while designated persons went below—we waited to know whether the head of our family would come to us or be carried out crippled or dead. Or when individual accidents happened, such as a falling roof pinning down a miner, we gathered up the human wreck and carried him home, knowing there was not enough money there to pay funeral expenses, much less to continue to feed wife and children. As again and again I served on such missions and knew that nothing could stop their recurrence, I made up my mind that somehow, somewhere, I would see that some security was provided so that the families of industrial victims might not be doubly despairing. That chance came when I was in the Ohio Legislature.

My early work taught me why years of hard work brought such a poor living for miners and their fam-

ilies. Until the union gave the miners a voice in deciding their own affairs, our lives were controlled by coal companies both at work and at home.

We had no choice as to where our homes should be. They had to be near the mine and in whatever houses the coal company had built. Usually refuse from the coal mines and gases pervaded the whole community, destroying vegetation. Vegetable gardens that would have made our wages go further and would have given us employment on idle days were often made impossible. We could do nothing about the houses but we tried to do something about company store prices which were a very effective way to cheat miners. Some of our unions tried to meet this problem by organizing cooperatives. At one time there were promising cooperatives in Illinois and a cooperative mail order house in New York City was launched. But our needs as workers often went counter to the business principles of cooperatives. In times of prolonged unemployment and during strikes miners had to have credit. Selling on credit is the surest way to ruin cooperatives. In spite of such difficulties I have always thought cooperatives provided a solution of some of the problems of isolated workers like miners and workers in textile mill villages, but the cooperatives should be preceded by a credit union to supply capital and credit.

When the union became strong enough and wise enough the miners could bring their power into action at the right place and in the right way to raise their standards of living. Until the union understood what the problems were and how they could best be solved it expended its energy in blind force. Goaded by in-

justice, cheated by mine weighmen and by company stores, unable to give their families the necessaries of decent living, miners would rush out in strikes unless held back by discretion. To refuse to work for the boss seemed the quickest way to revenge. Men on strike are capable of unrestrained violence. I have known them to call out the maintenance men and leave the mines to flood. In Ohio there are mines which were set on fire during the strike of 1884, still burning. But while all these acts of violence might satisfy temporary anger, however justified, they put nothing into the pockets of the miners unless they led to adjustment of disputes and better conditions of work.

Miners and coal operators are tied together by their need of the incomes that come from production. Unless the miner gets the coal out he gets no wages: unless the operator has coal to market he cannot meet his payroll or get his own income. My temper was no milder than those of fellow workers but I saw that it had to be controlled. So as a union official I was continually emphasizing the significance of collective bargaining and how much further we could get by using our heads than by using our fists.

As president of my local union and of sub-district 6 of District 6 and later president of District 6, I began to get a comparative view of developments in Ohio District 6 as contrasted with those in District 5 (Pennsylvania) and District 17 (West Virginia). At that time coal was still carried by water as well as by railway.

In bituminous coal the competition is between industrial regions based on quality of coal and costs of production and transportation. In the early days Ohio

had a transportation advantage because of the Ohio River and its tributaries, our canals and the Great Lakes. The railroads changed all this and brought West Virginia and Kentucky into the competitive field. Miners unions were organized into districts each covering a mining area. As District No. 6 in Ohio went on strike and we saw ourselves defeated by trainloads of coal from West Virginia and Pennsylvania, I realized that unless we found some way of coordinating collective bargaining in the various districts so that we should not work against other unions and in favor of the coal operators, we could not hope to get far.

We found the answer to this problem by what was known as the central competitive agreement. The districts in this area, No. 6, Ohio; No. 5, West Pennsylvania; No. 8, Indiana; and No. 12, Illinois, negotiated jointly an agreement with the joint coal operators. This agreement, in turn, became the basis for negotiation in all other fields. This practice worked to stabilize the industry and raise standards of living for miners. However, there were always individuals among the operators and among the miners who tried to upset the agreements for some immediate advantages, forgetting they were also dependent upon prosperity within the industry. Business depressions also wiped out our union machinery so that we had repeatedly to restore our collective machinery for the whole industry. As president of District No. 6 I urged and worked for the restoration of central competitive agreement and united action. The central competitive agreement made for uniformity in labor costs and prices of coal in the markets of the

country. In 1902 the principles underlying the procedure were stated as follows:

"First. That this joint movement is founded, and that it is to rest, upon correct business ideas, competitive equality, and upon well-recognized principles of justice.

"Second. That, recognizing the contract relations existing between employer and employee, we believe strikes and lockouts, disputes and friction, can be generally avoided by meeting in joint convention and by entering into trade agreements for specified periods of time.

"Third. That we recognize the sacredness and binding nature of contracts and agreements thus entered into, and are pledged in honor to keep inviolate such contracts and agreements made by and between a voluntary organization, having no standing in court, on the one hand, and a merely collective body of business men doing business individually or in corporate capacity on the other, each of the latter class having visible and tangible assets subject to execution.

"Fourth. That we deprecate, discourage, and condemn any departure whatever from the letter or spirit of such trade agreements or contracts, unless such departure be deemed by all parties in interest for the welfare of the coal-mining industry and for the public good as well, and that such departure is first definitely, specifically and mutually agreed upon by all parties in interest.

"Fifth. Such contracts or agreements having been entered into, we consider ourselves severally and collectively bound in honor to carry them out in good faith in letter and spirit, and are so pledged to use our influence and authority to enforce these contracts and agreements, the more so since they rest in the main upon mutual confidence as their basis."

The interstate joint conference for the central competitive area consisted of an equal number of representatives of coal operators and miners, with equal representation on all committees. The miners' represen-

tatives were instructed by their conventions on general policies and specific standards. The major work was done by the scale committee, on which the operators and miners from each state had four representatives—thirty-two members in all. The procedure and the machinery were essentially democratic, and worked well for the industry until the bulk of output shifted to West Virginia. Then the Appalachian area became the key for collective bargaining.

The union is a training school for workers, enabling them to study and helping them to understand the problems of citizenship as well as those of workers. There we learned such elementary things in a democratic way of living as the need and the technique of cooperating with other human beings. First we had to learn the rules regulating collective deliberation and decision on policies. Without accepted rules of order, union meetings quickly turned into mobs of strong men, and instead of plans to advance our business we had bruised and aching heads the next day. I put my mind to learning the rules of parliamentary procedure because I wanted to get things done. Never did I make better investment in information for the unwary miner who didn't know his parliamentary law would find his way nicely blocked or would fall into some of the pitfalls quickly concocted against him. My lessons began in my local union, continued as president of Sub-District No. 6 and then of District No. 6, then further tried in the Ohio Senate when I served as president pro-tem during both terms. Parliamentary law is, of course, only a means to an end, but it is a necessary tool for group activity.

As president of my union, sub-district, and district, I met with employers and public officials to adjust grievances and work out problems. I knew the miners' side of the picture when I began this sort of work, while conference after conference taught me the supplementary facts making up the operators' side of the problem. Good times for miners were bound up with prosperity for mine operators. After we learned the fact of interdependence of welfare, we had to learn jointly the ways and techniques of cooperation in working out joint problems. Miners were willing to do their part to help the operators get money, provided they got a fair share.

The only time I ever ran for the presidency of the United Mine Workers was in 1910. Things hadn't been going well in our international headquarters. Its relations with the coal operators were too close. Their views were dominant instead of our interests. The central competitive agreement was in danger. Miners from Ohio and various other states urged me to run against the incumbent president, which I reluctantly agreed to do. The campaign was vigorous and resulted in 2,941 votes for me and 5,701 against me. Many were dissatisfied with the way the ballots were counted, and the turbulence of the next convention foreshadowed the end of the career of that president. The kind of work miners do breeds daring but also a fundamental honesty that will not permanently tolerate injustice. I made the fight for those who wanted honesty in our International.

In 1911, John P. White of Iowa became president of the United Mine Workers of America. He appointed me international statistician. This position involved gathering the data to be used in collective bargaining,

data on mining accidents and accident prevention, information on occupational diseases. This office had available fairly complete information on every mine and coal company in the country. Here again I was impressed by these inescapable conclusions: there can be no income without production, workers cannot prosper unless industry prospers, and that high wages are not necessarily high production costs. White also appointed me a member of the miners' committee to cooperate with the Mine Bureau which was charged by the federal government with promoting safety in the mines. Our unions cooperated heartily with the cars sent into mining communities to illustrate safe practices and devices, and we formed safety committees to carry on the educational work. Accident prevention I thought better than relief measures.

On August 1, 1913, I became secretary-treasurer of the United Mine Workers and was reelected to this office until I became president of the American Federation of Labor. The financial organization of the United Mine Workers provides resources for organizational expansion and growth, and for defense while on strike. Dues and the moneys collected by local unions came into our headquarters, were deposited or invested and duly recorded on our books. The business management of headquarters is another responsibility of the secretary-treasurer, together with supervision of the *Miners Journal.*

I was also responsible for the files and records of the organization and received and paid all bills. This was no light task during strikes, for it often involved providing the strikers with everything—shelter, food, and

medical care. The first move of the hostile operator was usually eviction from company houses so he might shelter his strikebreakers. The strikers then became wards of the International.

I remember one fierce strike in West Virginia where hills and valleys were blood-soaked in the miners' struggle for the right to organize. The coal operators had evicted the miners and brought in Baldwin-Felts strikebreakers. As the responsible International official, I leased land, bought tents and fed the tent colony. The coal operators turned to the federal courts for an injunction to break the strike. They asked Judge Anderson to order the United Mine Workers not to feed these strikers and the judge declared he would issue the injunction. I was sitting in court, following the proceedings. If that injunction were issued, I would be the person restrained from sending money to feed these miners with their wives and helpless children. I rose in court and said: "Your Honor, you do not understand the situation. These families are the wards of our International. They are living on land leased by our union and in tents we purchased. Every scrap of food they have we buy for them. We cannot let these women and children die. If you issue the injunction I must choose whether I will obey it and let the miners and their families starve or violate it and go to jail. Your Honor, I cannot let the women and children starve." The judge barked a few questions at me and said he had not understood. He modified the injunction so that we were allowed to feed the strikers. Years later I was again to meet Judge Anderson when we called the miners' strike in 1919.

I decided then, as I believe now, that a trade unionist has a prior obligation as a citizen of a democratic country to conform to decisions of duly constituted governmental agencies and contest and establish issues of justice through the proper channels. We endanger our freedom when we attempt direct action. This has been the position of the United Mine Workers, although it has a membership accustomed to facing physical dangers daily and whose daily toil demands endurance, quick action, and morale. Our battlefields are coextensive with the coalfields of the country, but our contest was with the coal barons, not the government or the country. On the other hand, we did not believe coal operators should control governmental machinery for their own gain, and we worked for legislation to regulate issuance of injunctions that bolster the power of mine operators, and to abolish their use of industrial armies. It was to help my organization deal with problems that had to be solved by legislation that I became active in the Democratic party. In addition to election twice to the Ohio Senate, I was repeatedly selected as a delegate to the Democratic National Convention.

One of the facts we miners soon learned in our efforts to organize was that we needed a collective-bargaining strength coextensive with the industry. We needed such jurisdiction in order to protect the workers in isolated areas and also to establish with the mine operators our responsibility for all in and about the mines. The owners' power was so all-pervading that the only chance the miners had was through complete unity. The United Mine Workers of America wanted an industrial basis

for its organization and activity and sincerely believed that a similar type of organization would enable workers in other industries to deal with even the big trusts. In 1890 our organization secured a charter from the American Federation of Labor and our jurisdiction was defined by the Scranton convention to include all men in and about the mines in the United States and Canada. Thus the American Federation of Labor chartered the first completely industrial International, and the Federation formulated its policy of organizing and accepting either industrial or craft union basis as circumstances and conditions might indicate that one or the other was better for a particular group. The American Federation of Labor has continued to pursue that policy, and has chartered unions organized on a craft basis and on an industrial basis for garment workers, workers in the amusement industry, and others for whom that basis was best suited.

In the years when I worked in the mines and served as an official of the miners' union, one of the most serious problems we had to meet was constant and unrestricted influx of immigrants from all lands. The early miners were English, Welsh, and Scotch—who came with an understanding of the kind of life we were trying to establish and with traditions of unionism. As the source of immigration began moving eastward, the immigrants neither spoke our language nor had our ways of living; yet if they worked in the mines, our welfare as well as their own depended upon their becoming members of the miners union. Upon our union devolved the practical responsibility of Americanizing

the miners in our mines—teaching them English, acquainting them with the ideals of unionism in their own language, helping them to adjust to American ways and to assume the responsibilities of American workers. We provided union literature in various languages and organizers able to talk to them in their own tongue. Without the unions it would have taken our nation much longer to assimilate the millions who entered our ports, coming often as a result of campaigns paid for by employers.

As we pushed our battle along these lines we realized obstacles were holding us back. While the union and collective bargaining were established and accepted in the central competitive field there were coal fields in which union organizers were not permitted and where civil rights for union workers were not tolerated. In West Virginia and Colorado unions were formed in bloodshed and the gunfire of civil war. We well knew the bitterness of economic tyranny that evicted miners from their homes, their families and household goods cast on the highways merely because they dared ask higher wages and a voice in making work rules. Opposition to the union bred strife and industrial warfare, while acceptance of the union with collective bargaining led to business stability and the advancement of mutual interests. There was no question of the employees' right to organize and to strive to attain the purposes for which they organized. The right of employers to suspend operations or to discharge employees for inefficiency or misconduct was unquestioned. On the other hand, some employers had the support of

government and public agencies in denying their employees the right to union membership for the purpose of collective bargaining.

A union is essentially a democratic agency founded on mutual interests and dependent upon cooperation and good faith. Union organization is possible only when workers have civil rights and in proportion as equal opportunities for progress are provided by extension of democratic ideals. Unions of workers, assured an opportunity for constructive advancement of their varied interests operating within the regulations fixed by a free people to guide relations between citizens, and guided from within by practical principles of human welfare and a responsibility for keeping faith with themselves and their fellow workers, guarantee the permanence of democratic institutions. Without unions, workers in an industrial civilization would have no freedom in living; even political rights would become empty. Freedom of choice in the work relations of life is basic for any real independence in living. With economic democracy political democracy becomes effective. Destruction of unions removes the cornerstone of free institutions, political and economic.

The United Mine Workers of America was created by the determination of coal miners to have justice and to create a better life for themselves and their families. Idealism, devotion, struggle, blood, and sacrificed lives are builded into the structure. As one who helped to build and serve the organization, it was part of my life which commanded my devotion and gave me opportunity for service. The United Mine Workers was a functional part of the coal industry and its officers

studied every phase of that industry and every mine in operation. We knew financial resources, the efficiency of the management, the tempers of the coal executives, the grade and value of the coal output, freight differentials, technical progress developing new methods of production, coal substitutes and changes in mechanical power.

Our union was an economic, as well as a national, institution. The structure of our union was planned to allow democratic control by the rank and file of miners in the mines but it also lent itself to control from the top, for the president might be absolute in the intervals between conventions. We believe most men are honest most of the time. Along with union representatives, I began to realize that in addition to organizing our economic power we would have to put some of our seasoned representatives into key political offices to secure the rights which citizens of a democracy should have. These basic rights which a democratic society should assure every wage earner are essential to his getting on in the world and giving his family the opportunities they want. It became a function of the union to find the legislators who would assure us rights and give us opportunities equal to those of our employers, and then to see to it that these understanding friends were elected to enact our laws.

Those of us who have grown up in the labor movement know that its real strength and function is not as an army with banners flying, enlisted for a crusade, but as groups of workers interested in having a job and in doing a good day's work, who want to improve conditions so that work will be less dangerous and burden-

some, and to secure pay increases so that they and their families can live better. Security is what lies closest to the wage earner's heart. His greatest hope for security is the union.

Unions do not propose to take over industries in order to increase pay and working conditions. We do not want to impose our control but only to "impose," if necessary, consideration of our functions in industry and advancement of our welfare as contributing participants in industry and society. Through our unions we seek to set up the machinery for joint conference, negotiations, and mutual acceptances of conclusions.

The unions call this philosophy and procedure collective bargaining. It rests upon recognition of the function of the union and acceptance of mutual interest. It is the essence of democracy assuring an equal opportunity for all, with appeal to intelligence and decision by the votes of those concerned. We mark progress in collective bargaining by the provisions in our agreements which establish relations between employers and employees upon a contractual basis. Our contracts define rights and obligations and fix responsibility of both parties. Collective bargaining succeeds in proportion as the spirit and methods of democracy are maintained, and breaks down as quickly as force and personal privilege intervene. An organized labor movement is an indispensable institution of a democratic society. Such an organization is essential to enable workers to keep abreast of general progress in industry, in the community, and in national political life.

The labor movement grows out of the necessities of work for wages, and is a part of group action which is

life itself. It cannot be killed, but it can be perverted and forced underground into a revolutionary force. In a democracy where the union is accepted and the right of all workers to union membership is assured, the union becomes a constructive agency, concerned with advancing Labor's interests as a part of the whole life of the nation. The union is the medium through which wage earners crystallize policies out of experience and apply these policies to increasingly varied interests and activities.

CHAPTER II

THE UNION AND SOCIAL SECURITY

IF I WERE TO ATTEMPT to sum up the objective of organized labor in the shortest and simplest terms possible, I should say that it is human betterment. Unions draw together into an effective unit the economic power of many persons. The power of each individual alone to achieve additions to his material welfare is most frequently inadequate to the task, or, when adequate, too frequently is so at the expense of the general human happiness and welfare. The purpose of unionism is not to increase the material wealth of a few individuals but to improve wages and living conditions for all under a plan of social justice.

Early in my experience many tragic experiences convinced me of the futility of individual efforts to gain security in the precarious life of a mining community. When I first went to work, there was no proper inspection of the mines. Ventilation was bad, the dust hung thick in the air of the rooms. Explosions were frequent. As a young man I served on my union's mine committee, which had the task of helping to take home miners who were badly hurt and the bodies of those who lost their lives in the frequent mine disasters. We had to break the news to the stricken family. Many times I have gone with aching heart into the bare little shack that all too clearly showed the poverty of the family. I have had the duty of telling the wife that an accident, the threat of which was constantly over a mining com-

munity, had struck down her husband. I have seen the grief and the bravery of those women, knowing that there was not a dollar in the house for food or for the care of the small children. Usually the pay was mortgaged ahead, in debts to the company store. The miners could save nothing against this day of calamity in spite of the certainty that it would come to many a family. The suffering I saw inspired me to the resolution to work for a workmen's compensation system which at least would lighten the economic burden resulting from the loss or disability of the family's wage earner.

In those years pay-days came only once a month. Each month as we lined up at the window for our pay some member of the union would be standing there taking up a collection for John Jones or Bill Smith, or their wives and helpless children. The miners were always generous, but their pay was small and the demands too frequent for such collections to bring in the sums sufficient for the needs. The injustice came home to us in the mining industry more forcibly because the accident rates were so high that a miner couldn't buy a dollar's worth of insurance from any company. When a miner was injured he usually got nothing for compensation. All of the coal companies were insured by private insurance companies, and the insurance company would fight the case as defendant in the courts. They used all the old common-law defenses, the doctrine of contributory negligence, the negligence of a fellow servant, and the known hazards of the occupation. The miner had no chance. He was beaten practically before he started. The insurance companies won nearly every case.

It was not a situation in which the economic strength

of the union could be used effectively. Legislation was needed. My chance came when I was elected to the State Legislature in Ohio. I was surprised to be elected. I was not an office seeker but a miner, and an officer of a miner's union. Some of the miners urged me to run for the legislature because they felt the need of a labor man there. I was elected and served for two terms, from 1911 through 1914. One of my chief objectives while I was there was to get a workmen's compensation law on the statute books.

To support my bill I compiled a list of industries showing the percentage of hazards in each. Mining topped the list. I used the mining community experience with private insurance companies to show the need for an unbiased insurer. I got acquainted with some splendid men who were interested in the worker's needs. There was Duncan Boyd, a man of fine social outlook, and others who worked for the act. We drafted a bill providing for an exclusive state insurance fund. That was a revolutionary idea then. The insurance companies had a powerful lobby, but we united labor behind the plan and won Governor Cox to its support.

The help of Governor Cox was invaluable to us. The employers were hostile to the act. The Senate Committee on Labor held hearings at which many employers appeared. They called the act confiscatory. They predicted that if passed it would drive industry out of Ohio. But the evidence of injustice to the workers was so strong and the history of litigation over industrial injuries so disgraceful that the public was with us and the law was adopted. That law put Ohio ahead of all other states, with the best workmen's compensation

law which had been passed. No industries left the state in spite of the fact that there were states with no compensation laws. Instead, as the law continued in operation, the employers saw its advantages and now they stand solidly with the workers for the Ohio law. Because the constitutionality of the state fund was doubtful at first, many states permitted private insurers. There is now no question of the constitutionality of a properly drawn workmen's compensation law. When the Ohio law was challenged by its opponents on that ground, one of the briefs filed in defense of the law was written by the man known as a valiant advocate of social legislation, Louis D. Brandeis.

The failure to provide for an exclusive state fund in every state is a costly anachronism in our system of workmen's compensation. Impartial studies show the superiority of the state fund in lower costs for employers, in freedom from fear of bankruptcy of the fund, and in greater security for the workers because the state fund has no incentive to cheat the workers out of payment due them. Private profit companies have made a mockery of the law in many states. Doctors have been bribed to falsify the seriousness of injuries and workers have been tricked into accepting settlements in no way adequate for the losses their injuries occasioned. Insurance companies devise technical escapes from payment of compensation. In every possible way the private companies have sought to avoid making payments honestly due, and so have nullified the law.

The bill which I introduced provided for a State Liability Board of Awards to administer the new compensation law. At the next session of the legislature this

board was superseded by the Industrial Commission created by the enactment of a bill introduced by Mr. Haas, a liberal-minded man who had supported the compensation law earlier. The Industrial Commission as established under that act and amendments which I introduced, had quasi-legislative powers in the field of safety. It could lay down regulations which had the force of law. Commissions in five other states, Wisconsin, California, Massachusetts, New York, and Pennsylvania, had these quasi-legislative and judicial powers in 1913. Other states followed later.

The significance and importance of the industrial commissions lies in their method of operation. They employ experts to advise them in making their regulations. But they are also guided by the principle of collective bargaining in bringing together representatives of employers and workers to develop the detailed regulation. Representative advisory committees with employers and employees studying and planning together and attempting to educate their respective groups on the far reaching effects of social legislation, create favorable attitudes and accomplish much more in democratic regulation within the broad principles established by legislation than could possibly be achieved in any other way. These commissions recognize the truth and justice in labor's demand that collective bargaining be the basis for all labor administration. It is indispensable in the administration of social legislation.

Litigation over injuries is negligible in Ohio. The law was designed to bar suits if the injury was compensable except when the injury resulted from "wilful act" of the

employee. At the time the bill was before the Senate the attorney general gave his opinion that that phrase meant "with intent to produce injury." We so understood the act when it was passed. After it was in operation, however, a court held that wanton negligence constituted a wilful act. Governor Cox was concerned that the law should be interpreted in its administration as it was by the legislature and that the causes of litigation should not be increased. We who had worked for the bill and had taken the position that its enactment would be for the benefit of the state acted in good faith to keep the law to the meaning the legislature had meant it to have. As the sponsor of the original act, I introduced the amendment to accomplish this purpose. Employers of the state, once lined up in opposing ranks, agree that Ohio's workmen's compensation law is a great piece of progressive legislation which they would not be without.

One especially beneficent feature of the Ohio law is that it provides for payment for life in case of total disability. Many of the miners' injuries result in total disability. I know personally many who have benefited by this disability provision. For instance, one man I see frequently when in Ohio always speaks with gratitude of our great labor victory in getting the workmen's compensation law. One day while he was working, part of the mine roof broke away and a heavy rock pinned him to the ground. He was in darkness and unable to move. Finally he succeeded in making fellow workers hear his cries, and they got him loose. There were no facilities for first aid. They could only lift him onto a coal cart and take him out of the mine.

His back was so badly shattered he has never been able to walk again. But he gets his compensation checks. His son was able to continue in high school and to get the education which has since helped him to a good job. In the old days his family would have had to take the charity of miners' contributions and, after a little time, of the county. His son would have gone to work as a child. How different the picture when social legislation has come in! This difference could not have been achieved by the direct economic action of the union, but union action promoted the necessary legislation to give the worker some security.

In state after state the miners' and other unions pushed the demand for workmen's compensation laws. Unions have an interest in seeing reforms go beyond state lines to all other states as rapidly as possible so that all workers have equal protection, because employers resist social legislation which they fear will put them at a disadvantage in competing with producers in other states. Over a period of years I visited many states and made many addresses in support of workmen's compensation, representing American labor in this matter as well as pursuing an object near my heart. Although improvements have been made in state compensation laws they are far from satisfactory yet. Especially in those states which permit private insurance companies to be the agencies for carrying out social legislation, the workers' rights are frequently infringed. There is also great need to expand compensation laws to provide compensation for all industrial injuries.

The need for provisions for sickness was made more apparent by workmen's compensation, but public sen-

timent for that phase of social justice was not mobilized so early as for the compensation of accidents. It is less spectacular. Illness comes on gradually and a man keeps struggling against its incapacitating force long after he needs attention. The need is as great, but the dust-choked lungs aren't as easy to see as the broken back, so society can for a while ignore the injustice of the uncompensated illness caused by occupation.

Workers well know the need for compensation for industrial diseases as well as for injuries. We miners saw fellow miners drop out of the earning field with lung ailments too far advanced to be curable. Through our unions we paid sick benefits to such workers, and provided some little assistance to the widows and children of workers prematurely disabled by diseases incurred in their occupations. But this was as unfair a burden on the workers as carrying the risk of accidental injury had been before workmen's compensation laws became effective. The worker could neither protect himself from contracting the occupational diseases which were prevalent in his industry nor save from his scant wage enough to pay for the care he needed.

I have always resented the fact that labor was not given at least as much consideration as a machine. Management must include in the cost of production the expense of repairs and replacement of worn parts of machinery. It expects to sell goods for enough to cover that expense. But when an employee becomes ill from causes arising out of his employment, that cost falls on the worker. The worker himself is bearing an industrial expense which should be borne by the industry.

Here again was a social standard which could not

be established by direct trade union action. If we used our own funds for sick benefits it only put on the workers a burden properly belonging to industry. Collective bargaining could hardly be effective in getting one employer or group of employers to establish an insurance against occupational diseases if their competitors were not assuming the same expense. Furthermore, the risk needs to be widely spread to establish a sound insurance basis. Social action was needed and we urged legislation to bring about this reasonable protection of the workers.

The American Federation of Labor conventions repeatedly adopted resolutions favoring the inclusion of occupational diseases as compensable injuries under workmen's compensation laws. Public indifference has blocked effective action. Less than half the states provide compensation for occupational diseases and a number of the laws are unsatisfactory in coverage. They list the diseases to be covered and compensation is denied in many cases which should be included. Only when all occupations and all industrial injuries from accident or disease are covered can the workers be reasonably protected. Labor will continue to urge this need upon legislatures until we broaden the base of security against hazards which menace human welfare and which the individual cannot fight alone.

But not only does the worker need the expansion of workmen's compensation to cover industrial diseases; he needs wider provision for a sound public health program and for health insurance. There has been ample proof in this country that low incomes and illness are

partners in crippling our workers. Self-respecting wage earners neglect minor ailments until they become major because they dread to go into debt for medical care. The average wage earner cannot afford proper attention to eyes, ears, and teeth for himself and his family, and so those neglected ills sap the vitality and weaken the children's chances of being strong, healthy adults. Sudden and expensive sickness has reduced many a worker's family to asking charitable aid, humiliating as it is to do so. Although society provides free care available to charity cases, nothing has been done about the excessive cost of illness for the family which has only a small income. I wanted to see a general program for health insurance and a public health program which would allow a worker's family to get the care it needed without becoming penniless and debt-ridden doing so.

In 1916 a joint resolution was introduced in Congress by Congressman Meyer London providing for the appointment of a commission to prepare and recommend a plan to establish a national insurance fund and for the mitigation of the evil of unemployment. A subcommittee of the House Committee on Labor held hearings at which President Gompers appeared. He strongly opposed the London resolution, offering as a substitute a bill providing for a commission to inquire into the subjects of unemployment, disability and sickness of wage earners and to learn to what extent the national government could aid, financially and otherwise, in the mitigation thereof by voluntary social insurance. He felt that the London resolution would require any commission which was appointed to recommend some plan of com-

pulsory social insurance, instead of making an unprejudiced study of the field, and giving proper attention to voluntary insurance.

In spite of his bitter antagonism to the dishonest and costly practices of private insurance companies which took from insured workers excessively more in premiums than they returned in sickness or death benefits, Mr. Gompers was fearful that a compulsory insurance plan would put labor unions at the mercy of government control and that the strength of the labor movement would be sapped. A number of unions had already established benefit funds. Mr. Gompers believed that that work should be encouraged. He was convinced also that government, state or federal, could perform a useful service by furnishing to workers an opportunity to buy insurance on a voluntary basis at a cost which did not exceed the real expense of mutual insurance. But he was unalterably opposed to any compulsory system or even to authorizing a commission to study a compulsory plan.

These matters were reported to the Executive Council and the Convention of the American Federation of Labor. There were persons in the Federation who believed the workers would gain more than they would lose by compulsory social insurance. As a result of my successful drive for workmen's compensation laws in Ohio, I believed disability and occupational diseases should be similarly covered and that, in addition, there should be a general health insurance program. Those of us who held that opinion were convinced that the labor movement would not be harmed by giving workers more insurance protection than the unions could

afford and by placing the responsibility for this protection upon society and so ultimately upon industry and the consumers who demanded the products of our labor.

In 1918 the Executive Council recommended establishing a special committee to study the desirability of laws for compensation and for prevention of industrial disease and accidents. This committee was to be charged also with studying the particular measures for Social Health Insurance which were under consideration in Congress. The Convention adopted the Executive Council's report, voting down a resolution to demand a comprehensive government program of social insurance.

Following the Convention mandate, President Gompers appointed a committee to study Social Health Insurance. The members were John A. Voll, John J. Manning, Mrs. Sara Conboy, Hugh Frayne, and Collis Lovely. After a number of meetings they submitted a report to the Executive Council condemning compulsory health insurance as likely to injure unions by permitting too much control by the government and as interfering with the development of union insurance systems. They believed it would bring only temporary relief which might handicap the achievement of economic justice by direct organization of the workers. They, however, excepted occupational diseases and urged legislation making industry financially responsible for that expense, and they recommended also the establishment of a government non-profit insurance system available on a voluntary basis to workers, like the life insurance program for soldiers and sailors. They

recommended that unions expand their insurance programs.

Opinion in the Executive Council was divided on this report. I felt strongly that loss of earning power was equally disastrous whether caused by injury or illness. The logical step after workmen's compensation was passage of a compulsory health insurance act. Only the legislature would bring social justice here. Voluntary insurance is out of reach for the low-wage family and only puts the burden exclusively on the workers instead of on industry which profits from their work. I took no stock in the argument that compulsory insurance would mean the surrender of individual liberty of action. It is the present system of wages, too small to afford medical care, which restricts liberty, and the necessity for accepting charitable aid in a long illness rather than having insurance for it which is degrading. Poverty is the archenemy of freedom. I knew how loud had been the cry that rights would be infringed and liberty sacrificed by the passage of workmen's compensation laws, and how blindly or maliciously wrong were the persons who made use of the cry. It is mockery to say to a sick worker whose family is in want and whose physical suffering from illness is intensified by mental agony brought on by anxiety over the care of those dependent on him, that such a state of affairs should not be remedied by legislation because it might interfere with his "personal rights" and "liberty of action." I believed we could trust the economic and political strength of unions to keep their essential rights inviolate under compulsory health insurance as under workmen's compensation.

The miners were solidly behind me in this belief. Our convention had already taken a stand for compulsory health insurance. The practical difficulties of separating occupational diseases and other illnesses seemed additional reason for making health insurance a comprehensive system. With proper safeguards for state administration of the funds, with patients permitted to choose their own doctors, and with private liability companies barred from the field of health insurance, I believed there would be no danger of the system injuring those whom it was designed to benefit. I presented these views at length to the Executive Council and was supported by other members. President Gompers, holding the view that the only and safe agency for labor's welfare was the union, supported the committee report. As I served on the committee advisory to President Gompers in connection with the International Labor Commission which drafted Article XIII of the Versailles Treaty, the ocean trip gave Mr. Gompers and me opportunity to continue arguing this question. I refused to yield to his position and insisted that some standards of welfare could be established better through legislative action than through a union's economic power and that both were legitimate fields of activity for our unions. We could come to no agreement on this matter. Since the Council wished to make only unanimous recommendations to the Convention we reported that further study was necessary.

The Convention approved this recommendation and we continued our investigation through the year 1919-1920. One of our members, J. W. Sullivan, who was travelling to several European countries on another

matter, undertook to investigate and report on their social insurance systems for our benefit. At the end of the year we were still in disagreement and so reported. Again the Convention referred the matter to the Executive Council for further study. This time it was agreed that Mr. Gompers and I should each choose two others to join us and we six should try to work out an agreement on our different approaches to health insurance. Mr. Gompers chose two members of the original study committee, John Voll, and Collis Lovely. I asked James Lynch and Jacob Fisher to serve with me. With the press of other engagements it was difficult to meet often enough to accomplish what we hoped. It became evident that the differences between those who urged voluntary insurance and those who favored the compulsory system were irreconcilable at that time and we were forced to abandon for a period the hope of arriving at a unanimous report. Since that time, however, the legitimate function of social legislation in assuring basic standards for the welfare of persons whose incomes are insufficient to permit them to lay away savings for emergencies has been generally recognized. Many persons once fearful have joined me in the demand that the health of our working population be safeguarded by adequate public health and insurance programs. We have gone further in developing concepts of democracy for administrative purposes so that we know how to oppose bureaucracy. We now have more confidence in the ability of labor to have a voice in directing the administration of this kind of law.

The first change in the Federation's opposition to so-

cial insurance came on the subject of unemployment compensation. The demand of local unions for unemployment insurance as the depths of depression evolved in the worst unemployment problem the New World had ever encountered, resulted in a decision by the Federation to endorse unemployment compensation. Following this precedent, at the 1934 Convention the American Federation of Labor again approved a resolution to study health insurance. The support of the program of widespread social insurance was general. Since funds for a thorough study were not available, the Executive Council recommended that the Federation urge the federal government to make the needed survey.

I served on the Economic Advisory Committee which drafted a social insurance bill including unemployment compensation and old age benefits. To my regret, it was deemed inadvisable to include health insurance. The social security measure finally enacted into law fell far short of the bill recommended by our committee.

Following adoption of the Social Security Act the Executive Council recognized that Labor had a continuing responsibility to help develop a long-term program which would care for needy families of the disabled through health insurance and disability pensions. In 1936 we reviewed the information on costs of medical care, together with the record of health insurance in European countries. The convention again urged that the federal government create a commission to study and recommend plans for the improvement of the system of social security, and for extending its

scope to include compensation and medical care for sickness.

The President had appointed an Interdepartmental Committee to Coordinate Health and Welfare Activities after the passage of the Social Security Act. In 1937, in response to widespread interest, this committee charged its Technical Committee on Medical Care to make a survey of the health and medical-care work of the United States government. The study brought out clearly the inadequacy of the health facilities in our nation. Specific recommendations covering all phases of the problem were reported to the President, who suggested to the Interdepartmental Committee that it discuss these recommendations with representatives of the interested public. A conference was called in July, 1938, which I had the gratification of attending to present Labor's views. I suggested there the proposal which I have favored for many years, the extension of workmen's compensation legislation to cover illness and disease, not only occupational in origin, but all types of sickness. This extension would of course have to recognize the responsibility of the workers for their general health and that of their families, through worker contributions to its funds. Since the problem is clearly one for national action, however, and workers are not able to bear the complete cost of illness even if spread out through insurance payments over a period of years, we would expect the federal government to bear some part of the cost. I am convinced that this enlargement of the social security program must be made to provide adequate medical attention for all the workers whose

incomes are insufficient to permit them to secure proper care now.

The American Federation of Labor in 1939 endorsed expansion of the public health program and enlargement of the social security system to include health insurance when the Senate Committee on Labor was holding hearings on a National Health Bill introduced by Senator Wagner. This action, ending the activity begun in 1916, gave me real satisfaction. It is a long time since I began working in Ohio for a social insurance program for workers. I expect to see social insurance extended to cover the hazards of general illness.

In 1915 the depressed state of industry had brought to the fore the menace of unemployment. Workers called on the American Federation of Labor to study the problem and to take such steps as it could to remedy the situation. Workers also asked for a system of public employment offices. We knew that organized labor would have to make a continued effort to prevent the hardships which industrial depressions bring on labor. We were anxious, therefore, to build a constructive program. The convention of 1915 directed that an investigation be made into unemployment. Accordingly, President Gompers appointed a committee to study the problems created by the large amount of unemployment, and the unjust effect of vagrancy laws on honest workingmen who were unable to secure employment.

The committee consisted of nine members whose occupations and places of residence gave them an opportunity to study conditions all over the country and in many major industries. Because the Federation could

not finance an extensive study and the committee members, all busy officers of international unions, could not give an excessive amount of their time to this study, they proceeded upon an informal plan. Each member inquired into the amount and causes of unemployment in whatever places he visited during the year and canvassed his union for the experience of its members. These reports were sent to the Executive Council of the American Federation of Labor.

Because employment conditions improved in 1916, so that in some industries there was actually a labor shortage, reports did not show the amount of distress which had been anticipated. Nevertheless there was enough unemployment to warrant continued efforts to solve the problem. The reports of the various committee members were similar in ascribing a considerable amount of unemployment to seasonal factors and in urging that public employment offices be established on a non-profit basis to help the workers find jobs. Such a service would prevent the cruel exploitation practised by fee-charging agencies. Since such agencies were interested only in getting the workers' money they "placed" workers in jobs which would last only a few days or for which they were totally unsuited, so that on their discharge the jobs would be open again to provide more fees for the agency. No man should have to pay for the opportunity to work. That should be recognized as a right.

Although some areas tried to meet the problem in part by state and municipal employment offices, we workers felt keenly the lack of an effective nation-wide system of employment offices. We believed that this

service was properly one the Department of Labor should render. The early efforts of the Department through the Bureau of Immigration were so scattered that the services were of little value. The chaos of the employment market was so clear that our committee members were agreed on demanding a remedy. Our recommendations had influence in spurring the Department of Labor to expand its service created under its war-time powers. In 1918 there was a rapid growth of the employment service.

Employer antagonism on the ground that the service favored union labor and decreased employer control over the jobs, together with attacks from fee-charging agencies and incompetent or sabotaging work by some of the officials seriously hampered development. Its budget was inadequate and its opportunity to make placements so poor that few employers would use it and employees often saw no use in registering. At the end of the War Labor Administration, appropriations for the service were discontinued, and except for a small farm placement unit, it ceased functioning.

The serious unemployment problem which faced the nation in the early 1930's brought renewed efforts for an effective employment service. With the enactment of the Wagner-Peyser Act of 1933 the foundation was laid for an effective state-federal system of employment services directly under the Department of Labor.

I am convinced that the Department of Labor is the proper agency for supervising such a service. It is that Department, specifically charged with promoting the welfare of workers, to which we look for help in securing and maintaining those basic standards which

must be established by law rather than through direct union agreements with employers. It should grow in significance and scope as the field of security through legislation is enlarged. It should be truly Labor's Department in the government, functioning in all matters of primary concern to workers as such.

Union labor has always worked for the protection of children. Most of us in the unions know from personal experience the loss of schooling or the injury done to health from having undertaken the responsibilities of a wage earner, when we should have been free to go to school and enjoy the play periods that are part of the normal life of a child. Long before other social legislation affecting the adult worker was sought we were attempting to prevent the exploitation of young children in mine, mill and factory. Even without statutory law the union's efforts were successful in taking many children from the mines and breakers. We in the mines knew well what child labor meant. The catastrophe that took away the wage earner or left him a helpless invalid forced his children to work for a few pennies a day in the breakers. Many boys of nine or ten years, who should have been in school or building up sound bodies for their adult years of labor, were bending over the coal as it moved along on a belt, breathing the choking coal dust, and working with cracked and bleeding fingers picking lumps of slate from the coal. Their wage might be $1.50 or $2.00 per week.

In 1902 the struggle to take the children from the mines in the anthracite fields was carried to the public. The press told the shocking story of conditions. With-

out public law to protect them the children were exploited because of the economic necessities of their families. The United Mine Workers of America wrote into its own laws the provision that no children under sixteen years of age should be permitted to work in and around the mines. The struggle was long and bitter but as a result of the union's efforts that rule was established and the breaker boys were returned to schools and playgrounds where they belonged. That could happen where the union was strong, as in the anthracite fields, but in many areas unionization was not sufficiently extensive to protect the children from exploitation.

This effort of union labor to protect children is not selfish. The child should not be forced to assume prematurely the adult responsibility of supporting still younger children. We have struggled for adequate wages for the adult wage earner in order that children need not supplement the family income. Social provision to compensate for the loss of income because of ill health, accident, unemployment, premature death or disability is a necessary part of the whole program of protecting our children. All children should have a chance for a normal happy life. We want our young people to be educated to become citizens of our great republic, surrounded by influences which make for noble lives. The organized labor movement stands for this. It is a part of our union program which has always had my deepest sympathy and most untiring efforts.

The wrong of child labor has always stirred me deeply, so this part of labor's program has been a personal matter with me. In its earliest years the Amer-

ican Federation of Labor conventions had put themselves on record against this abuse of children. Year after year efforts were made to provide a true opportunity for children. The American Federation of Labor urged the creation of a Children's Bureau in the Department of Labor. It supported all attempts to eliminate child labor by state laws. It put its strength behind all the efforts to get federal legislation banning or regulating the labor of children.

From 1906 on, bills were introduced in Congress, year after year, to bar from interstate commerce the products made by children under fourteen years of age. The early bills were drawn in the form of prohibitions on the common carriers' accepting such products for shipment. Later the responsibility was shifted to the manufacturers, who were in a better position than the carriers to know whose labor had produced the articles. Bills were drawn making it illegal for a producer to sell in interstate commerce goods on which children under fourteen years of age had worked. Certain exemptions were provided. One such bill, fixing penalties for violation, passed Congress in September 1916 and became effective September 1, 1917. This was the Keating-Owen Bill. The general satisfaction which was felt among socially minded groups interested in the welfare of our children and therefore in the future of our nation at the passage of this act, was abruptly checked when the act was declared unconstitutional in June 1918.

Immediately plans were made to enact the same standards on a different basis which would be constitutional. The Pomerene Act, which levied a 10 per cent

tax on articles in whose production the labor of children under fourteen years of age had been used, was passed and became effective in April 1919. For three years this law continued in operation. Each year saw a decrease in the number of children laboring for hire. The states were improving their regulatory standards. Then again our efforts were set at naught by a Supreme Court decision that that law was unconstitutional. We were perplexed and dismayed, but not discouraged.

So great was the interest in protecting our children that in the sessions of Congress after the law had been held unconstitutional forty bills were offered by senators and representatives from fourteen states to amend the Constitution to permit Congress to regulate the labor of children below eighteen years of age. A lay committee composed of representatives of twenty national organizations was formed to draft an amendment. Mr. Gompers was privileged to serve as chairman of that lay committee. It had the advice of distinguished lawyers and law professors including Roscoe Pound, Newton D. Baker, Ernst Freund, and Joseph P. Chamberlin. The final draft was largely the work of Senators Pepper of Pennsylvania and Walsh of Montana. The amendment gave Congress the authority to regulate the work of children under eighteen years of age. It did not prohibit any labor below that age. It only made federal legislation constitutional.

The amendment passed the House of Representatives by a vote of 297 to 69, and the Senate by 61 to 23. A few states promptly ratified it. But rapidly propaganda was organized against it. The misrepresentations were so palpable it is hard to understand how they could be

believed, but they succeeded in turning many people away from support of child-labor regulation.

To all of us who have seen the exploitation of children in this rich land, and who have wanted to make our country a better place in which to live by ending that exploitation, the flood of propaganda against the amendment which has delayed ratification year after year has been a sad experience. In 1925 the delegates to the American Federation of Labor Convention warmly applauded when I said to them, in reporting the amendment, "We have just begun to fight for the children of America." The workers of the nation are still fighting. With the Supreme Court's decision holding the door open for ratification in spite of efforts of opponents to have the Amendment declared dead, we will continue to work to give the children of this nation the opportunity they should have for education and protection of their health. We owe that care to the citizens of the next generation.

No one can be interested in the democratic principle of government and the democratic way of life without also being impressed with the tremendous importance of education to the worker. One of the most pernicious effects of child labor is that it takes children out of schools and prevents their receiving the education which would help them improve their lives. In many states compulsory school laws were circumvented by provisions that children might obtain work certificates which allowed them to leave school at a younger age. Yet the compulsory school laws were an improvement over an earlier, unregulated period, and organized labor was the first to urge the need for compulsory education.

Labor's efforts were responsible for the enactment of compulsory education laws in many states. But because economic necessity and ignorance will often impel a family to take advantage of every loophole to get the child to work, it is necessary to have adequate regulation of child labor so that the child who should be in school cannot be regarded as a potential economic asset and his schooling prematurely ended.

Organized labor is concerned not only with seeing that the children of the nation have an opportunity to attend schools, but it is vitally concerned that they shall be truly educated in the broad social and economic aspects of the life of our nation. In 1921 a special committee, which had been created by the previous convention to study the textbooks used in public schools for civics, political economy and history, reported its findings to the convention and recommended that a permament committee on education be created by the American Federation of Labor to carry out further studies and to work with the executive officers of the Federation in pursuing the Federations' interests in education. The recommendation was adopted and the Committee on Education created.

In the following year the committee reported that despite some progress in the extension of social studies in public schools there remained a great field for improvement. So important was that program that the committee reported: "The whole public educational system, if the ideals of humanity as expressed by the labor movement are to receive adequate consideration in public education, will require reconstruction around the social studies." With that statement I was heartily

in accord. As our industrial development moves away from a primarily individualistic economy into that of great aggregations of machinery and laborers, it is increasingly important that men and women should be widely informed, should understand their social order, and should be equipped to take their places as intelligent citizens in the making and administering of laws to regulate that order.

The Committee on Education was also active in pressing the policy of the American Federation of Labor in urging upon the several states the use of free textbooks. This step was necessary in order to permit education in public schools to be actually free and available to children from families of small means as well as those who had money to spend for books. Good progress has been made in this direction.

The committee also stressed the importance of having representatives of labor in various communities undertake as part of their public duty service on local boards of education and boards of trustees of universities supported by public funds. Such service is truly in accord with the long continued interest of American labor in free public education.

But the work of organized labor in behalf of education does not stop with provision for the youth of our land. Many union men are anxious to keep on learning about their jobs and other subjects that interest them. Education does not end with youth and may be helped by available facilities. With the increase in size and influence of the organized labor movement, the education of adult workers has become one of its primary concerns. We recognize that workers' education is the

basis of a permanent and responsible workers' organization and therefore of a sound democracy in our nation. The character of American democracy depends on the wisdom and understanding of its adult citizens, not a privileged few alone but the great mass of people whose intelligent and self-disciplined behavior preserves our free institutions.

Through trade union classes and the educational services of the American Federation of Labor, men and women have been educating themselves on an ever expanding range of subjects. The social legislation which for enactment and enforcement demands intelligent representation of labor has stimulated workers to renewed efforts. All the more forcefully we feel the truth of Mr. Gompers's statement to the second International Conference on Workers' Education in 1934, almost at the end of his long and purposeful life:

"If we would see life clearly and see it whole, we must understand our daily job in its relation to ourselves, to the community, to the nation and to all life. We wage earners want to know how to interpret the mass of experiences and information that crowd our daily lives. We want the kind of education that will enable us to have the sustained purposefulness that comes from understanding our problems and competency to make our own decisions. Through our trade unions we have been helping to establish such industrial standards as are preparatory to making production processes educational so that our factories and shops may be in spirit and in fact educational enterprises."

Labor can no longer depend primarily on friendly outsiders to present its case in legislatures and on ad-

ministrative commissions. It needs to have men who have themselves come up as laborers and as loyal union members and who have studied and know the technical problems involved. We need the election of more labor men to legislatures and we need more labor men in responsible positions administering labor laws. We have a real service to perform. In my own two terms in the Ohio legislature, in addition to introducing and securing the passage of the best workmen's compensation legislation in the country, I secured the enactment of laws in the interest of the miners of which they were proud, and I introduced the bill which limited the working hours of women. Much more social legislation exists now than at that time. The public mind is more receptive to such legislation. It is all the more necessary to have our own people sharing in the framing of such laws.

In introducing in Ohio the bill which limited women's working hours to nine a day I based the campaign upon the Supreme Court decision in Muller *v.* Oregon in 1908. That case clearly established the power of a state to protect its women workers by restricting the hours of work. The Oregon law permitted ten hours. Prior to that decision the status of such laws was uncertain. They had been sustained in some states and overthrown in others. In the Oregon case the Supreme Court found good cause for differentiating between men and women in hour regulation. We knew we could get nowhere with regulation of men's hours by law but there was a rapidly developing social conscience for the protection of women. We wanted an eight-hour law but could not

muster enough support for it. The nine-hour act was passed.

Even had a law regulating the hours of labor for men in occupations other than those classed as particularly hazardous, such as mining, not been of very doubtful constitutionality, organized labor was not ready at that time to support general legislation limiting the working hours for men. It feared that such legislation might give the state too much power of regulation which would weaken the unions and prevent use of their economic strength and bargaining power to reduce the hours of labor. Shorter working hours have been a major focus of union attention from the beginning of union activity. By their own efforts unions have secured bargaining agreements which have progressively reduced hours in most lines of production. Women were less well organized and of much weaker bargaining power. Regulation on their behalf was, therefore, reasonable. But for men, the majority of organized labor preferred to rely on bargaining power. I was not so afraid of regulation because of my experience with legislation in the Ohio Senate. I was one of the minority group who voted in the 1914 American Federation of Labor Convention in favor of making an effort to secure a general eight-hour law. President Gompers and the majority of delegates opposed this motion. But unions are not inflexible in their policies. As economic and social conditions change they change their views on the proper methods of meeting the situations. The Fair Labor Standards Act met the issue raised by the unions, fixing only the minimum standards by governmental regulation leaving

unions free to negotiate higher standards in union contracts. We believe that when a standard can be established for all workers employed in an industry or calling, that standard can be made universal by law or administrative order, leaving the union free to explore new possibilities.

The new social legislation of the past decade has had the warm support of organized labor. Our attitude is no longer one of fear and distrust of government regulation under proper conditions. We welcome government efforts to provide on a social basis the security which it is not possible for a great proportion of men and women to achieve for themselves. We insist, however, that in the making and enforcing of this regulation labor shall have a fair part. We want the development of a social order that will make for the highest degree of citizenship and which will insure the preservation of freedom. It can come only if the procedures of that order are thoroughly democratic.

For many years the American Federation of Labor was aware of the problem which faced the wage earner who was too old to work. Every workingman could look about him and see, if not in his own life, in that of the overwhelming majority of his fellow workers, the impossibility of saving a competency for his old age. Average wages over the year were barely enough to provide a living. There was seldom enough to provide savings, and such small savings as were possible were wiped out by emergencies of illness and unemployment. The failure to provide for old age was the result of economic inability, not lack of foresight or desire. In 1911 the Massachusetts State Federation of Labor introduced a

resolution which was concurred in by the Convention of the American Federation of Labor, putting the Federation on record in favor of a comprehensive national old age pension system. We have worked for it many years.

The Executive Council of the Federation studied the problem of old age dependency thoroughly. In 1929 in its report to the Convention it said:

"In the early days of this country the prevailing agricultural environment made it easier for a family group to take care of its aged. There was an abundance of space and food that reduced the difficulties of adding another member to the home. There were many chores that enabled older persons to find work and feel themselves useful.

"With growing industrialization and modern methods of production, the organization of modern homes, every additional member of the household means a proportionate increase in family expenses. Changed organization of the home does not provide the former opportunities for older persons to be useful. Modern standards of living all too frequently leave small margins for additional expenses or savings. These conditions together with the increasing difficulty of older workers in finding employment, have made the problem of income for old age increasingly serious.

"Some trade unions have pension plans. In cases where pension plans were not worked out on actuarial principles they have become heavy financial burdens and a handicap to membership extension."

The report went on to point out the undependability of some industrial pension plans and the inadequacy

of the provisions of all these plans to meet the need. It recommended an active campaign for an adequate system of old-age pensions. The convention adopted the report and endorsed the resolution after a considerable period of debate. Some of the delegates still felt at that time that organized labor should concern itself exclusively with perfecting its fighting organization, not with social legislation. But the majority believed otherwise, and the Federation went ahead with its agitation for this program. I was a member of the Advisory Council on Economic Security in 1934 whose work resulted in the Social Security Act. The American Federation of Labor supported that Act when it was introduced. We were represented on the Advisory Council on Social Security whose thorough study of the old-age insurance program of the Social Security Act has provided the basis for desirable extensions of this program.

No one phase of the program of social security should overshadow or handicap the others. Our primary emphasis must continue to be on a satisfactory living for all workers. Working hours which permit leisure for self-directed activity, wages high enough to provide a decent standard of living for the family without exploitation of the energy of little children, and freedom to join with their fellow workers in bona fide unions which will press their interests—these are vital objectives. But supplementing the economic efforts of labor in providing security for the aged, disabled, widowed, orphaned, unemployed there must be a comprehensive program of legislation for social security. No legislation since the war has been of more importance to labor's welfare than the Social Security Act.

Although it had become evident by 1929 that provision for the ever increasing proportion of old people in our population was a duty which could not be effectively carried out by individuals or by trade unions, and that it was of such importance that it warranted government action, organized labor still hoped that the problem of unemployment could be solved not by insurance but by jobs. It was true that throughout the period of prosperity there had remained a large hard core of unemployment, but the hours were far too long in many industries. For years the unions had worked through collective bargaining for shorter hours, for work hours adjusted to work-time needs. I believe that if the thirty-hour week were generally enforced the amount of unemployment would be materially reduced. But we were up against an economic situation too big to be handled by economic power alone. With the rapid improvement in machine technique, machinery was displacing many more persons than were required for the total new process including production of the machines. For the first time since the early days of the industrial revolution, technological advance was reducing the total demand for labor. The hard core of unemployment grew during the depression and has remained larger than before the depression years despite the improvement in business.

I was reluctant to admit the failure of our economy to provide work. I was one of many union men who feared that a system of unemployment compensation with the requirement that the claimant register and accept work offered through a public employment agency might result in lowering union standards and

forcing men to take work under conditions which would jeopardize their union membership. It was not a lack of sympathy with the predicament of the unemployed man but rather a deep concern that unions be preserved and strengthened in order that their economic strength might continue to be applied toward reducing the working day and the employment of more persons. Confronted as we were, however, with an ever increasing problem of unemployment the Executive Council of the Federation studied the question of unemployment compensation with the utmost care. It came to the conclusion that labor could wait no longer to be given an opportunity for all to work. Industry had failed to provide jobs, and was failing to increase job opportunities by effective decreases in working hours without loss of income to the worker. Therefore the responsibility for supplying unemployment compensation must be placed on industry.

At its July meeting in 1932 the Executive Council directed me to draft and present at a subsequent meeting a plan for unemployment compensation. I made a further study of the problems involved. Although the plant reserve system had been embodied in the Wisconsin law, I felt that the single pooled fund which was under study in Ohio and was in operation in many European countries offered a greater security for the workers and would best serve the purposes of the act in the absence of a single federal system. Because there was difference of opinion on this question at that time the Executive Council did not take a final stand for either system. As our officers continued to study the problem, however, we came to believe the pooled fund

was far superior and the Federation took a positive stand for the single pooled fund with a uniform rate of contribution from all employers. The risk of loss from unemployment could thus be spread widely over industry, and those vital industries unfortunately unable to stabilize their employment to the same degree as public utilities, for example, would not be placed under an impossible tax burden in supporting unemployment insurance.

I had the advice of a small technical committee in the proposals for unemployment insurance legislation which the Council presented to the Convention. We kept constantly in mind three fundamental principles: (1) that any insurance plan must preserve the right of workers to membership in bona fide trade unions; (2) that the insurance funds should be a fixed charge on industry not created by collections from employees; (3) that the insurance should be compulsory and administered wholly by government units. We did not propose to see repeated the tragedy of workmen's compensation under private insurance companies. We advocated without reserve the exclusion of private insurance companies from this field of insurance. In order that the rights of membership in unions might be preserved and that union standards should not be jeopardized by the operation of an insurance program, we insisted that nothing in the act should require an employee to accept employment, nor should an employee forfeit his right to benefits under the act by refusing to accept work under any of the following conditions:

(a) In a situation vacant as a direct consequence of a labor dispute;

(b) If wages, hours or conditions of labor were less favorable to the employee than those prevailing for similar employment in that locality or would tend to depress wages or working conditions;

(c) If the acceptance of such employment would in any way limit the worker's right to union membership.

We also urged that workers should not forfeit their benefits beyond a reasonable period if they quit their work without good cause or were discharged for misconduct. This latter provision I believe is essential so long as there remain employers antagonistic to the fundamental right of men to organize and to the use of organized labor power to create decent standards of working and living conditions. I have seen union men "discharged for misconduct" for petty offenses which were overlooked in men amenable to company domination. Persistent discrimination against an active union man, failure to furnish him promptly with materials when he is on piece work, keeping him waiting for machine repairs without pay for excessive periods, and dozens of devices to keep his wages low or his work exceptionally difficult can force a man to quit "voluntarily" when the commission may not be able to find sufficient proof to determine "good cause." A strong union can protect its men, as the miners finally got an honest check on the weight of their coal, but a union man working in a non-union shop is often helpless before such injustice. It is important, therefore, that the withdrawal of benefits for excessive periods does not become another club an unscrupulous employer can hold over his men to bar them from legitimate union activity.

We maintained that in the administration of the compensation program both labor and management should have a voice, through advisory councils and appeal boards on which both are represented. So far as labor is concerned its representatives should be genuine labor men, selected through its own organizations. The democratic principle of representation cannot be satisfied by having an employer-minded man, whose only connection with labor has been perhaps as a personnel manager, designated as "labor's" representative. Such pretended representation is a farce. Though many good and honest men may be friends of organized labor, we need actual representatives of our own choosing, participating in the administration of social legislation. This is at least as important as having more labor representatives in our state and national legislative assemblies.

The Executive Council's report of 1932 was discussed long and earnestly by the convention. Many good unionists were still fearful lest such legislation would impose too much control over labor organizations and sap the strength of trade unions. But more recognized that the new condition of unemployment called for new measures. All of us pledged continued efforts to attack the problem of unemployment by reducing working hours, and the majority of the delegates felt that in addition present provision must be made for the unemployed workers. The report was accepted and the Executive Council charged with promoting the passage of state unemployment compensation laws. Many of us were conscious that a national law would be preferable. We had seen the inequalities of state workmen's compensation laws. But we feared that a national un-

employment compensation law would be of doubtful constitutionality. For that reason we set ourselves the task of attempting to secure passage of separate laws in each state. We recommended that federal unemployment compensation legislation covering such workers as could be covered only by federal and not by state laws be enacted to supplement the state programs.

With organized labor and its friends pushing the measure, sentiment in favor of unemployment compensation grew rapidly. In 1933 bills were introduced in over half the state legislatures. A number of states appointed commissions to study the problem, but no new laws were enacted. Congress had before it for consideration a number of proposals for a federal law. The Federation's convention endorsed a resolution calling for such compulsory federal unemployment compensation legislation as might be constitutional and renewing its drive for laws in every state. The President created a Committee on Economic Security and an Advisory Council composed of citizens outside the government on which I was privileged to serve as one of the representatives of organized labor. The committee appointed a Technical Board consisting of qualified economists and statisticians in the employ of the government to study the whole problem of social security. The members of this board included persons who for many years had worked with and understood labor problems. It was a group in whom we placed confidence. We believed they would have a forward-looking attitude.

The Advisory Council, made up as it was of people who held other positions and whose lives were busy, could not hold frequent meetings. However, each of us

gave serious study to the statistics and the proposals which the Technical Board placed before us. We held four meetings of several days each and we worked on the plans for social security between meetings. None of us needed to be told the seriousness of the problem of unemployment. We who have been laborers know the heartache, the privation, the despair that lies behind the statistical fact of ten to twelve million unemployed. We have seen the families of unemployed men go without recreation, new clothing, proper medical care, and even adequate food as week after week passed with no pay day. Those who have been concerned with social work have seen the disasters of families evicted for non-payment of rent, of overcrowded slum areas breeding disease as unemployment reduces the family to extremes of poverty. Businessmen know that the unemployed man and his family are poor customers. All of us were keenly aware of the human tragedy in the problem we were attempting to meet. We knew that the most satisfactory solution would be the elimination of unemployment but, failing that, we wanted a law which would give a reasonable amount of income security to the wage earners in periods of involuntary unemployment without sacrificing their self-respect. A program of insurance was the course we took to this end.

In our deliberations two considerations particularly were given most serious thought: the relation of the federal and state governments in the insurance program, and the size of the tax and benefits. The Advisory Council decided by majority vote to recommend a federal grant-in-aid system rather than a federal tax with

offsets to employers for state unemployment compensation taxes paid. Although the constitutionality of neither system was clear at that time, it was believed that federal standards could be established more satisfactorily under the grant-in-aid system. Organized labor preferred a national system. Believing as it did that a national law would be found unconstitutional, it supported a grant-in-aid system with federal standards as the better of the federal-state systems open for consideration. In spite of the Advisory Council's recommendation, the Committee on Economic Security supported the credit offset system.

I believe that our social security laws will ultimately have to be on a national scale. From the time I worked in the mines I have seen that many problems of labor cannot be confined to a state. When we would win what we thought was a local fight for an improvement in mining conditions we would quickly see that it must be put on a state basis. When we got one state in line the competitive conditions would force us to carry the struggle into a wider area. We saw it in the mine screen law and in our long union fight for fair wages. The products of labor move across state boundaries. The influence of the union for better conditions and of the newer social legislation for greater security must do likewise. Industries extend across the continent. Labor is more mobile than in any other country in the world. Industries shift readily as we have seen in the migration of the boot and shoe industry westward and of cotton textiles to the South. In a society which is characterized as ours is by fluid capital, migratory industries and shifting labor markets, unemployment is not

a state problem and regulatory measures need to be national in scope. The Convention in 1935 instructed the Executive Council to study carefully all provisions of the Social Security Act which affect the workers' interests in order that it may work for amendments wherever they may be necessary to safeguard those interests.

In carrying out this instruction the Executive Council appointed a Social Security Committee to study particularly the problems pertaining to this new legislation and to see in what ways it could be improved to serve its purpose more perfectly. I consider this of the utmost importance. I believe social security is the most significant legislation affecting workers since the War.

I am sure that the act will be extended and improved. The spirit of pessimism does not prevail in the organized labor movement. Although our hopes have often been unrealized in respect to a particular piece of legislation or the reform of a patent evil, we continue to press our case by economic and political means at our disposal. I know that organized labor will not fail to strive constantly for a better living for all mankind. In the absence of national standards for unemployment compensation, labor representatives have a responsibility to see that the states adopt reasonable standards. It is their duty as citizens as well as labor representatives to take their part in molding the laws under which our society attempts to provide security for itself and to create the largest amount of security consistent with sound financing of the program.

The problem of financing social security is of primary interest to workers. The earnings of workers are not

large enough to allow them to purchase individual security. Exactly as the miners were unable to protect themselves against loss from injury, workers in all lines are helpless against unemployment, old age, illness and disability. And the considerations which prompted me to fight for the exclusive state fund in the workmen's compensation law of Ohio are even more pressing today. Again and again the American Federation of Labor has taken its stand for the single pooled fund for state unemployment compensation laws, and against any form of "merit" or "experience" rating. The broadest possible distribution of the risks of unemployment is essential. There is no justification for a "merit" rating system, which at best would raise the rates of some employers sharply as the rates of others declined, thus penalizing some industries for the operation of factors of instability beyond their control, and at worst would render the unemployment compensation system as worthless as workmen's compensation has proved to be in those states which have allowed private insurance companies to cheat the worker in order to keep payments low for their own advantage. So, also, I have always felt that health insurance should be a federal government program from which private insurers would be barred.

We cannot hope to have a perfected system of social insurance all in a moment. We expect it to be a growing, expanding program. We have a right to demand that in all changes which are made the objective of the whole social program be kept in mind. Only by legislative action can these basic standards of social justice be extended to all workers and their families.

Through social provision against the hazards which menace a man's opportunity to work and earn—unemployment, disability, illness, old age—we can establish the basis for freedom of the worker, freedom to make a living without relying on charity. We are not losing one particle of union responsibility in thus turning to legislative action in these fields. Rather we are increasing the value and need for organization in insuring democratic administration of the social program and fair treatment for all.

The labor movement has had to adapt itself to changed conditions. For many years its chief emphasis was on the use of its economic power, the united efforts of the workers, to add to the sum of human happiness. But as we observed the changed conditions of industry our philosophy broadened. We now seek benefit for the workers and all our fellow men by the use of either direct economic strength or legislation as the situation demands. Neither alone can suffice. This is not a selfish struggle. Only as a nation moves forward toward the goal of social justice can its cherished heritage of free institutions be preserved and enriched. In every national crisis the trade union movement of different nations may serve to save the nation from disaster. In battling as we are for the achievement of economic justice and social righteousness, we are also fighting the battle of the republic.

CHAPTER III

THE UNION AND WAR LABOR POLICIES

A MAN who becomes an officer of a great union, such as the United Mine Workers was in 1913 when I was appointed its secretary-treasurer, assumes a heavy responsibility. Of this I was fully conscious, though I could not foresee the many struggles, the triumphs and the defeats we were to experience in the coming year. Two years after I became an officer of the United Mine Workers I was elected a vice-president of the American Federation of Labor. This brought me in much closer touch with the national labor movement than I had ever been before, and gave me a firsthand knowledge of the problems of unions other than my own. I began to get a sense of the labor movement as a whole, the interrelation of problems and the coordination necessary to give labor representation in the development of national policies.

In the years immediately preceding our entry into the World War, one major struggle consumed the time and the energy of the entire labor movement of this country, as it had done since the beginning of organization—the bitter struggle for the right to exist as unions and to function in collective bargaining with employers. Antagonism to unions has been one of the outstanding characteristics of our industrial control. Labor is still engaged in the same struggle. The fight is by no means won even though the technical rules of the game have changed. Only the unions themselves, taking advan-

tage of the opportunities created by law, can make union functions accepted as normal steps in industrial procedure. But by comparison of our position today with that of twenty-five or thirty years ago, it is possible to see what tremendous gains we have made, in securing a place in the determination of the conditions under which we work.

The United Mine Workers had, since the last years of the nineteenth century, been recognized by coal operators in some of the most important coal-mining districts of the country. Many operators, however, refused to permit miners to organize. Aggressively anti-union fields still challenged us. West Virginia was not organized; Colorado was not organized; operators in Alabama, in Kentucky, and in the Northwest, all fought organization, and refused to become a part of the association of mine operators who, year after year, entered into agreements with our union.

We were still building the miners' union. It grew out of strikes. The strike was our only weapon against employers who would recognize only force. We lived by strikes in the early years of organizing. We were always ready for a strike, because we had so little to lose. We struck and were driven back to work, and struck again. This was true not only of miners, but of workers in other industries as well. Almost everywhere that organization made progress, it did so in the face of determined and often ruthless employer resistance.

But as the union gained in membership and became a stable, orderly, dues-paying agency, miners began to see that an agreement which fixed the method of measuring coal mined, or increased the wage rate, or fixed

the time to begin and end the day's work, meant permanent betterment for us and our families. In the Ohio District I had long urged collective bargaining as more effective procedure than strikes because the union agreement gradually changed the rules of industry itself and established the rights of those who worked. Often the strike was the only way we could get a hearing, but I held it should be a last resort because it was costly and endangered the whole union structure. Early radicals in our movement often fought provisions in our agreements because they represented compromises. Many a time I have had to convince unions that temporary compromises lead to future gains and that "compromise" is inevitable in collective agreements representing what management agrees to at any given time.

Yet we were progressing slowly toward a realization of our idea of industrial democracy. When we had gained recognition of our union, we proceeded to the real purpose of the union, which as I see it, is the establishment of industrial government through collective bargaining. I believe the mine workers were the first union to institute industrial government, through the agreement they entered into in 1898 with coal operators in Pennsylvania, Ohio, Illinois, Indiana, Missouri, and other coal-mining states. In that year joint action began in the mines; industrial government, depending for its success upon the cooperation of organized employers and organized labor, was begun. Mine operators and mine workers sat down and worked out a plan for the industry which did much more than fix wages and hours of work, though of course it did that

too. That agreement established the conditions under which coal would be produced, so that each district could produce that coal at a price which would make it possible to sell it in competition with every other district. Differences in cost of shipping, in location of markets, in the kind of coal to be mined, in the methods to be used in mining, were all considered. This agreement changed, of course, from time to time, remained in force until the 1920's, and formed the background for all of the action of the United Mine Workers during the time I was an officer of that union. It became customary for management and union to meet in each district and adjust rates on the basis of the standards arrived at in the Central Competitive Area, which was created in 1900.

But for that agreement to be effective, and to be continued, it was essential that unorganized areas be organized. Far from ending our efforts to organize, therefore, the agreement intensified them. In 1913 we were trying again to organize the Colorado coal mines, and those in West Virginia. The violence with which our efforts to organize were met, the reckless defiance of the mine operators of every consideration of justice and fairness in dealing with their employees, the use of the state militia, of the courts, of company police, made these organizing campaigns outstanding events in the history of organized labor in this country.

Two circumstances made the Colorado strike of 1913-1914 outstanding in a long history of strikes. One of those circumstances was the Ludlow "massacre," in which wives and children of striking miners were killed by National Guardsmen, and the second was that

this strike was directly responsible for the creation of one of the first and best known of the company unions which were soon to exist in such great numbers.

Again and again the mine workers of Colorado had attempted to organize, and again and again they had been defeated by the operators in those attempts. But so intolerable were conditions, and so determined the miners to organize, that they always tried once more. The demands of the Colorado miners in 1913 included, in addition to wage increases and union recognition, the discharge of armed guards in the mines, recognition of the right of each miner to choose his own boarding house and his own doctor, a specific demand for observance of the mining laws of the state by the operators.

A strike in the mines in those days was the signal for immediate eviction of the miners and their families from the company-owned houses and the placing of "no trespassing" signs on all company property. The local unions and the United Mine Workers had always prepared to take care of the evicted miners. We bought or leased land, organized tent colonies near the mines, and in those tent colonies miners and their families often lived for months at a time. I do not know how many people were living in the tent colony at Ludlow. I do know that the state militia fired into the camp and finally set it on fire, killing by suffocation eleven children and two women who had crawled into a cave dugout to escape the machine-gun fire of the National Guardsmen. The miners, anticipating attack by the National Guardsmen, had planned for the safety of their women and children, preparing the dugout under one

of the tents so that they might have a refuge against the bullets of machine guns and rifles of the National Guards. But they never dreamed that the guardsmen would use fire, and this haven of protection only facilitated destruction by fire.

Public opinion was at last aroused. John D. Rockefeller, Jr., was asked by a Congressman to intervene to settle the dispute. He refused, and the fight continued. To investigate and report to Congress on industrial unrest, its causes and cures, a federal commission was appointed. When Mr. Rockefeller appeared before that commission he said that he did not in any way concern himself with labor relations in the industries he controlled, but left such relations to the managers of those industries.

That he had not the least understanding of the issues involved, or of the problems and feelings of the workers, was made clear to me by an incident which occurred some little time after the strike. I had gone to Ludlow, to take part in the dedication of a monument to the martyred mine workers and their wives and children, killed in the cruel struggle of 1914. As I sat on the platform, facing thousands of sorrowing mine workers and their families, a large closed car pulled up on the outskirts of the crowd. Soon a man from the car came to the platform and indicated that he wanted to speak to me. "Mr. Rockefeller is in that car," he whispered, "he wants to speak to the miners." It was difficult for me to believe that anyone could so misunderstand a situation. "For God's sake tell Mr. Rockefeller to leave here at once," I replied. "He may be killed, if these men find out he is here." Only when

the car had disappeared could I realize fully what a tragedy had been averted. I knew that the miners felt that the absentee mine owners were responsible for the murder of their friends and relatives. I have met Mr. Rockefeller many times since that day, and I know him to be a person of conviction and personal integrity. He was simply expressing, in Ludlow, the attitude of employers which was then customary. I do not believe that, today, the most anti-union employer in this country could so misunderstand the significance of his own actions, or the attitude and problems of his employees.

One of the immediate effects of our attempt to organize the miners in Colorado was Mr. Rockefeller's Employee Representation Plan proposed by him as a substitute for collective bargaining in the Colorado Fuel and Iron Company. This plan, instituted by John D. Rockefeller, Jr., in his Colorado Fuel and Iron Company, was drafted by Mackenzie King, now Prime Minister of Canada, who personally directed its institution. The constitution and by-laws of this plan were drafted in the headquarters of the company. A new organization was to be substituted for the miners' union—a product of miners' experience.

Under that Company Union Plan club houses, dispensaries, swimming pools, recreation grounds, all the usual accompaniments of a benevolent attitude on the part of employers, were built up by the company at the various mines; representatives of employers and employees met to discuss and settle grievances and to discuss employee relations.

This was not the first such plan which had been

initiated by anti-union employers, but it was one of the most successful and widely known. We recognized the plan, of course, for what it was—a company union to prevent real organization. But unfortunately we were weak in Colorado. We had lost the Colorado strike. The United Mine Workers had sent more than four million dollars to the Colorado strikers; our treasury was exhausted; strike leaders were in jail, awaiting trial; the mine operators were strongly entrenched. They were in control of the machinery of the state, and the help they received from the state government and from the courts forced us to give up the attempt to help Colorado miners to organize.

It was not until 1933 that the Colorado Fuel and Iron Company finally recognized and agreed to bargain with the United Mine Workers of America. Had they recognized the union twenty-five or thirty years before, hundreds of lives sacrificed and millions of wasted dollars could have been saved. During all those years the Employee Representation Plan continued in effect in the Rockefeller mines. This was one of the few attempts, before the war, to substitute company unionism for independent union organization. After the war, of course, that attempt became an organized, nationwide company union movement.

The promoting agency was the conference committee, which avoided publicity but, through conferences of the personnel men of an important group of corporations, served as a clearing center for experience in controlling company unions and put direction into the thinking of the developing management profession. At one time the company union movement looked ambi-

tiously for a worldwide scale of operation through the International Labor office.

With the coming of the World War, all our attempts to extend organization and collective bargaining were complicated by the depression which this country experienced between 1913 and 1915. Many industries were severely affected by the depression, and union strength had to be used primarily in holding gains already made. Then, as the war in Europe continued, we came into a munitions-production boom. Soon we were hearing on every side the necessity for preparedness in this country. We in the labor movement opposed the preparedness campaign, knowing that it brought us closer to an active part in the war, and realizing that war must fall most heavily upon the workers. When it became clear, however, that this country would enter the war, the unions took on the responsibility of preparing to protect the interests of labor as best they could.

Whatever our attempts had been to keep this country out of war, when war was declared we were prepared to cooperate in every way with the government to win that war. Our first official act was the declaration of a conference of representatives of national and international unions called in Washington by President Gompers, affirming American labor's allegiance to our democratic government in peace or in war and setting forth principles assuring the maintenance of democratic principles in either event. By accident, that conference and declaration preceded the formal declaration of war.

We realized early that unions must become contribu-

tory agencies to war purposes or face suppression as a military necessity. Our knowledge of British experience and of munitions production before we went into war enabled American labor to start its war policies with the knowledge that the industrial as well as the military strength of a nation must be mobilized for modern warfare, and that our industries must support an army in the attacking line in France. We must build and man ships to keep our army equipped.

There were a series of memoranda ("collective agreements," in union language) between the government and organized labor. The initial one covering construction of camps and cantonments, signed by Newton D. Baker, then Secretary of War, and Samuel Gompers personally, accepted the union as the representative of its members, the union scale and working conditions of the locality, and set up a joint adjustment board on which the union designated labor's representative. Through rapid development, this agreement was extended or duplicated for construction work by the army and navy, for shipbuilding and operation, for uniforms and other military equipment. By the time the Secretary of Labor was made War Labor Administrator, the principle of labor representation, union recognition and collective bargaining were well accepted and became the foundation of his policies. On the War Labor Policies and War Labor Boards, labor had representation, and union recognition was an accepted right to be assured all workers. War production had to be maintained at high and uninterrupted levels.

For a time it appeared that we had gained, because of the war, the recognition we had so long fought for.

The Wilson Administration insisted that employers, especially in the industries essential to the war, cease interfering with the organization of their employees. Union membership increased very rapidly. The eight-hour day became quite generally accepted. Boards were established in various industries to handle labor relations, and finally the National War Labor Board was created.

Organized labor supported and worked with the various labor boards established during the war. Because of our conviction, however, that wages and working conditions must be established through the process of collective bargaining, we were unwilling to see those boards continued beyond the war years. We were eager, at the end of the war, to reestablish, or to establish for the first time in many industries, normal, functioning relationship between employers and unions. Continued government control of labor relations, we feared, might lead to government control of the unions and the death of an independent labor movement.

In coal mining, our experience with government intervention in labor relations was especially unfortunate. In 1917, the Fuel Administration had been set up, with Mr. Harry A. Garfield as Fuel Administrator. In that year we entered into an agreement with the coal operators which came to be known as the Washington Agreement. The agreement was made for the duration of the war, but not to exceed two years from April 1, 1918, and under its terms the bituminous coal miners suffered severely. Despite their continued demands for wage increases to meet the constantly and rapidly rising cost of living, wage increases were denied them. We

reached an understanding with the Fuel Administration that no strike should take place in the mines until the dispute had been reviewed and decided by the Fuel Administration itself, and that recognition of the union would not be demanded during the war, except in those cases where the union had already been recognized by the operators.

The Fuel Administration in turn agreed to insist that employers stop the discharge of miners because of union membership, that they recognize that miners had the right to organize by such peaceful methods as would not interrupt production, and that where the union mine existed it would be continued. These conditions were, of course, of great importance to us. On the other hand, the understanding with the Fuel Administration greatly curtailed our activities, and prevented us from extending our organization as we might have done, or even from bettering our wages.

Unrest on the part of labor increased. When the United Mine Workers met in convention in Cleveland, in 1919, we had come to the conclusion that the restrictions to which we had agreed because of the war must end, and that we must act to better the position of the miners. It had been understood that the Washington Agreement was not to run beyond the end of the war. A price restriction in coal had been lifted on February 1, 1919, and Fuel Administrator Garfield resigned on July 1, 1919. It seemed clear to us that the war was over. By high prices and part-time work, miners' incomes had been reduced 50 per cent. We thought the refusal of the coal operators to go on full-time production was profiteering because they gained

from the unnecessary scarcity of coal. We sought to save our own interests and those of consumers by raising the wage issue, which would necessitate a return to normal production. We felt that we were free to proceed to the negotiation of a new agreement which would recognize the changes in the cost of living that had taken place during the war.

When the operators refused to consider our demands, there seemed nothing for us to do but to strike. A strike call was issued. The Secretary of Labor invited the scale committees of the miners and operators to Washington for conference. As the operators refused to negotiate unless we first recalled the strike order, the conference adjourned. President Wilson issued a statement demanding the recall of the strike order and declaring the proposed strike unjustifiable and unlawful. Whether the strike would have succeeded or not we shall never know, because the United States government elected to become a party to the strike. Attorney General Palmer asked for an injunction on the ground that the strike was unlawful under the Lever Act which prohibited profiteering in food and fuel during the war. When this Act was under consideration in Congress, labor had been assured the measure would not apply to strikes. The Attorney General's action was followed immediately by the issuance of an injunction by Judge Anderson in Indianapolis, prohibiting the officers and members of the United Mine Workers from in any way advising their membership on the situation, or contributing any of the moneys of the mine workers to the assistance of the men on strike, and restraining them from discussing, writing or entering

into any kind of conversation with their membership on the strike situation.

The injunction, in effect, deprived local miners' unions of leadership. The answer of the miners was complete stoppage of work in the industry. Along with eighty-three other officers of the U.M.W., I was arrested for contempt of court. As legal counsel to protect our constitutional rights, the United Mine Workers retained Mr. Charles Evans Hughes, now Chief Justice of the United States Supreme Court. The Attorney General then asked the court to demand the recall and withdrawal of the strike order. The order was issued and our organization given seventy-two hours in which to comply. The order was complied with and the strike order withdrawn. But the miners would not return to work.

A month later we accepted the proposal of the President for the appointment of a commission to consider the entire question of wages. The Bituminous Coal Commission, consisting of Henry L. Robinson, Rembrandt Peale and John P. White, granted a wage increase, but far less than the bituminous miners had demanded, since they had had no increase in wages since September 1917. This was not a happy ending to our attempt to work in every way possible with the government. In the same year occurred the disastrous steel strike, and then the mass offensive of industry against union organization was under way.

We had sincerely believed that the recognition given us by the government and by employers during the war was the beginning of real recognition of the labor movement of this country as a functioning, responsible

part of industry. We had shown, during the war years, that we were prepared to take our place in industry as well as in the trenches, and it seemed that the next logical step, when the war ended, was to democratize industry by introducing new methods into the conduct, control and management of industrial affairs. But our hope that industry had seen the value of cooperation with labor and the importance of giving labor a place in industry was destroyed as the great open-shop movement of the years immediately following the war gained strength. Company unions were formed in almost every industry; professional strikebreakers, industrial spies, armed guards, company police, the blacklist, discharge for union activity—all the weapons of the powerful employer were brought into play.

Employers appealed for public support in their campaign against union organization on the claim that American principles demanded recognition of the right of every citizen of this country to work where he pleased, under any conditions which were satisfactory to him as an individual. The American Plan, they called this. The "American Plan" was the "open shop" drive under another name, and was as completely undemocratic as that drive had been in the first years of the century. While open-shop employers talked of and gave great publicity to their claim that every worker must be free to work where he pleased, they were in fact denying the right of the union member to work in their plants or their mines or their mills, unless he renounced his union membership as a condition of that employment.

Such a plan denies the worker any part in deciding

conditions under which he works. It leaves him, as an individual, helpless before the great power of the corporations; it overlooks or refuses to recognize the great changes which have taken place in our industrial and economic life. Only through his union does a worker find any guarantee of a square deal, or security in his job. Democracy in industry demands that every man shall have the right to join with his fellow workers in order to fix through collective bargaining the conditions under which he shall work; that the employee, as well as the employer, shall share in the management of the industry which supports them both and to which they both contribute. American labor has never demanded more than the right to overcome his individual weakness through organization, to bargain collectively with his employer, on a basis of equal strength, and thus to extend into industry the democratic principles which he knows in his political life.

In the attempt to destroy or to prevent the organization of unions, there has been almost no limitation placed upon the employer as to what he may do, or how he may use his great economic power against his employees. Labor's right to organize was recognized by the courts in 1842. But the courts had not, in recognizing that right, limited the right of employers to prevent organization if they could do so. Labor therefore had the right to organize only when it was strong enough to wrest that right from employers through battle. Not only had the courts failed to protect the right they recognized, but they had nullified the few legislative attempts which had been made to protect that right. We had to wait until 1937 for recognition

by the Supreme Court of the fact that workers' right to organize and to bargain collectively is one which employers must respect.

A leading economist of this country has recently said that the courts have been one of the principal reasons why unions have been unable to assume a place in industry comparable to that of unions in other industrial, democratic countries. We know from our own experience how often the courts have stood squarely in the way of the establishment of industrial government, in which workers might have a voice in the determination of their working conditions.

When the Sherman Antitrust Act was passed in 1890, President Gompers tried to get an amendment specifically exempting unions, recognizing them as essentially different from trusts. The legislators did not accept the suggestion because they thought such an application too unlikely to require action. The law provides that any combination which interferes with or restrains interstate commerce is in restraint of trade, and as such illegal. We believed that the law was intended to control the great trusts and corporations which were appearing in the last years of the nineteenth century. It was not long, however, before injunctions were being issued under the law against labor unions. We knew that the law must be amended to protect the unions, and in 1914 we were at last successful in securing the adoption of the Clayton Act, to give us the protection we must have if the labor movement were to grow as it should.

But again the courts so interpreted the law that we found ourselves more restricted than ever in our ac-

tions. In the United Mine Workers of America, for example—and other unions were similarly affected—we found ourselves constantly enjoined, in one court or another, from carrying on the union business. We were enjoined from organizing; from calling strikes; from picketing if we did strike; from holding union meetings; from advising workers that a strike existed; from collecting union dues; from spending union funds in strike benefits or strike expenses of any kind.

As an officer of the United Mine Workers, I was constantly under subpoena or in contempt of court. Once, in the midst of our international convention, a United States marshal suddenly appeared upon the platform of the convention and interrupted our proceedings while he served me and the other international officers with subpoenas in the case of the Borderland Coal Company of West Virginia, in which an injunction was asked to restrain our union from organizing or doing anything which might interfere with the mine operators in the conduct of their business. The demand for injunction was based on the claim that the United Mine Workers was an unlawful organization, in that it conspired with union mine operators to restrain trade, by preventing or interfering with the production of and commerce in non-union coal.

Many times it has become almost impossible for us to carry on our union affairs without violating an injunction. We were often arrested, tried for contempt of court by the very judges who had issued the injunctions, and sentenced to fines or to imprisonment. Since the courts had adopted the custom of issuing blanket injunctions, covering "all persons whomsoever," it often

happened that we violated court orders of which we were ignorant. I believe that the use of the injunction in labor disputes has been one of the most serious perversions of justice we have ever witnessed in this country. Before the war I advocated the election of federal judges, believing that this would bring them more closely in touch with workers and their problems, and make them more responsive to the workers' needs.

One of the decisions of the Supreme Court which has proved most harmful to the labor movement was handed down in 1916 in the Hitchman Coal and Coke Case, in which the individual "yellow dog" contract was declared legal, and in which the Court upheld the issuance of an injunction prohibiting the United Mine Workers of America from organizing such workers. Any worker who had, under pressure from the employer, signed such a contract stating that he was not or would not become a member of a union could legally be discharged, the court held, if he joined a union. It made no difference to the court that the worker had been forced to sign the individual contract in order to secure work. Following this decision of the Supreme Court, many mine operators sought and secured injunctions which prevented organization of their employees.

Another great blow to union organization came when a district court, in the Coronado Coal Company Case, awarded damages amounting to about three quarters of a million dollars against the United Mine Workers of America, for losses the company claimed to have suffered because of a strike in their mines. In this case and in that of the Pennsylvania Mining Company, the

United Mine Workers of America was assessed triple damages, as being in restraint of trade under the Sherman Antitrust Act. It is true that we did not have to pay the damages in the Coronado case, but the Supreme Court in its decision ruled that unions could sue and be sued for damages, which placed our union funds in great danger.

In view of the attitude of employers and the courts, there seemed nothing for us to do, after the war, but to take up again our traditional weapon of the strike. And this we did. When it became evident that labor's war gains, slight as they were, would be taken from us unless we could hold them by our economic strength, strikes occurred in coal, in steel, in textiles, on the railroads, in printing, on the docks—a wave of strikes such as this country had not yet seen. Some of the strikes resulted in victory for the unions, others in defeat. The miners, defeated in their strike in 1919 because of the action of the federal government, were again forced in 1922 to strike to protect what they had gained, and in this strike they were overwhelmingly successful, both in the bituminous and in the anthracite mines. Workers in other industries were not always so fortunate, and the years of the depression following the war, 1920, 1921 and 1922, saw a loss in union membership and union strength.

One direct effect of the mine workers' strike of 1919 was the passage of a law in the state of Kansas, setting up the Kansas Court of Industrial Relations, and providing for compulsory arbitration in labor disputes in public utilities, the fuel, food and clothing industries. Labor unions were, under this law, required to in-

corporate, in order that they might sue and be sued; penalties were established for strikes and lockouts, the court was given the right to prohibit the check-off in union agreements, and all disputes which could not be adjusted through negotiation between employer and union were to be submitted to the court. The law was aimed primarily at the miners, who struck against it and who refused during the entire time it was on the statute books, to recognize its legality. In 1923 and 1924 the Supreme Court declared certain provisions of the law unconstitutional, and finally, in 1926, declared the entire law unconstitutional in so far as mining was concerned.

Meanwhile, however, some of the district officers of the mine workers had been forced to suffer a long imprisonment for their refusal to recognize the authority of the court. We feared that this attempt to fix compulsory arbitration upon us would spread from Kansas into other states. Compulsory arbitration had no place in democratic government in industry. It takes out of the hands of the employer and of the union the right to determine the conditions under which industry shall operate; it prevents unions from full use of their economic strength, and would in time seriously weaken if not destroy the labor movement. Arbitration by consent, arbitration provided for in union agreements, freely arrived at, is quite another thing. This is entirely in keeping with democratic procedures, and is a method followed by many unions. This kind of arbitration is, indeed, a logical development in continued, mutually satisfactory relationships between em-

ployers and unions, and one which the American Federation of Labor has always encouraged.

To add to the difficulties which we met in the post-war period came the question of our relations to organized labor of other countries. President Gompers and other officers of the American Federation of Labor and many of its affiliated unions were convinced that we should, as soon as possible after the war ended, help in creating and building a functioning international labor movement. The American Federation of Labor had, at the time we entered the war, adopted a resolution in favor of a World Peace Congress of Labor, to be held at the same time and place as the General Peace Conference. I was made a member of the American Federation of Labor delegation to the Labor Peace Conference, which we proposed to call in connection with the Peace Treaty. When we sailed for Europe, early in 1919, I am sure that every one of us hoped that we could in some measure, at least, help the cause of international labor organization. When we arrived in Europe we were informed that a meeting of delegates from various labor organizations had been arranged in Berne, Switzerland, and that representatives of the German and Austrian labor unions had been invited to that meeting, which was clearly political rather than economic in intent. Such a meeting should under no circumstances, we believed, take place until peace terms had been agreed upon. We did not, therefore, go to Berne, but instead went directly to Paris, to keep in touch with the official peace commission. On our arrival in Paris Mr. Gompers was designated American labor representative

on the Commission on International Labor Legislation. Mr. Gompers asked the four other members of our committee to act as his advisers.

We helped in the development of Article XIII of the Treaty which authorized the establishment of the International Labor Office. It was my belief that the United States should become a member of the League of Nations and, in the 1919 convention of the United Mine Workers of America, I attempted to secure the adoption of a resolution to that effect. In this I was not successful, however, and our effort to enter into close, lasting, and effective relationships with the labor movements in Europe came to little. The problems of organized labor in this country and those of organized labor in Europe were too different to permit close cooperation or understanding at that time. Although we participated in the reorganization of the International Federation of Trade Unions, we did not affiliate until years later.

Although the American Federation of Labor was stirred by the Russian revolution, we felt little concern for the effects of the Communist Revolution until the early 1920's when the Communists in this country, through their policy of "boring from within," began to cause serious dissension in a number of unions. In the United Mine Workers of America the attempts of the Communists to gain a foothold were never successful. A small group of miners, hoping to establish Communism in the unions, formed an International Committee, which was at once declared a dual organization, and for membership in which some mine workers were expelled from the United Mine Workers.

Only in the Nova Scotia District did the Communists gain any strength in mining. This District has attempted to join the Communist International, and for this and for failure to obey the orders of International President Lewis, its charter was revoked.

In a number of other unions, however, the Communists met with much greater success than in coal. For a time they appeared to be in control of the garment workers' and the fur workers' unions in New York City. They were ultimately defeated in the International Ladies' Garment Workers' Union, but not before they had caused almost irreparable harm to the union. In the Fur Workers' Union, unfortunately, they remained in control, with the result that the union had to be reorganized by the American Federation of Labor, and lost much of its strength in New York.

When the Communists launched their campaign to gain control of the American Federation of Labor we were not unfamiliar with such attempts. Impractical radicals and revolutionists made several efforts to capture the Federation. During the period when the International Workers of the World was active, that organization had made efforts to destroy or control established unions within the Federation. In the early years of the Federation we suppressed Socialist efforts to control the unions. The I.W.W. had never been a serious threat, and during the war its strength steadily declined. The Communists soon became a greater menace to the American Federation of Labor than the I.W.W. had ever been, principally because of their tactics of entering the unions and trying to gain control of them from within. Early Communist activity in

this country centered around Mr. William Z. Foster, who had been the secretary of the Steel Workers' Organizing Committee in the campaign to organize steel in 1919. He had previously helped in the organization of stockyard workers in Chicago, and in both places he had done outstanding work. After the steel strike in 1919, Foster formed the Trade Union Educational League, to spread the doctrines of Communism in the unions.

It was my belief in the first years of the Communist government in Russia, and remains my belief today, that Russian workers should be free from all outside interference in their choice of the economic and political system under which they wish to live. But it is equally my conviction that the beliefs, the purposes, and the methods of action which may be satisfactory to Russian workers have no place in this country and we have a right to be free of them.

We in the American Federation of Labor believe in private ownership; we believe in unions as the means of bettering the living and working conditions of working men and women; we believe in democratic principles which rest upon respect and equal representation for all persons and the right to representation in all matters affecting their welfare whether political or industrial, and we wish to establish our industrial relations through the method of collective bargaining. We believe that through collective bargaining and through social and labor legislation we can bring about a more equitable and satisfactory distribution of income from joint work.

Communist activities in our unions have inevitably been disrupting and destructive. The Communists have wanted to gain control of the labor movement in this country, not so that they might help to improve the economic conditions of our millions of workers, but so that they might use the unions to overthrow our present system of government, and establish a socialist state. The Socialists tried earlier in this century to use the unions in much the same way. We won the battle against the Socialists in the late nineteenth and early twentieth centuries. I believe we have, in the American Federation of Labor, won the struggle against the Communists for control of our movement. We have met criticism because of our efforts to keep Communists out of our unions. Anyone who will examine closely and without prejudice the results of Communist influence upon the unions will, I feel sure, see that we had no alternative if we felt responsible for maintaining a free democratic labor movement, and in reaching the goals which that labor movement has set for itself.

The establishment of industrial government, through collective bargaining, is a long process which requires education of workers as well as of employers. I think I may safely say that the United Mine Workers of America was the first union in this country to extend collective bargaining to this long process. The unions' responsibility involved education and discipline of our local unions and our district organizations in the methods of industrial government. Local, unauthorized, "wildcat" strikes, called in violation of the terms of our

agreements, occurred time after time, and again and again we had to impress upon local union members and their officers the absolute necessity of accepting the fact that mine workers must remain at work and settle their grievances under the terms of their agreements.

Employers, of course, were also at fault in many cases in failing to live up to the terms of the agreements. In time, however, both employers and workers learned that the establishment of real industrial government meant acceptance of responsibility on both sides; that it meant patience in working out the differences which arose; that it meant following an orderly, businesslike procedure, and acceptance of procedure by common sense rather than by passion and sentiment. We knew that the miners were willing to strike, that they were willing to fight, to wage war on the industrial field. Their long years of bitter struggle for the right to organize and to secure recognition of their unions had proved that. They could not be expected to turn at once from that method of securing acceptance of their demands to one of reasoned, calm negotiation, with uninterrupted observance of agreements. Nevertheless, in a few years, the majority of the miners had fully accepted their responsibility, and had come to look upon the strike as a method to be used only when every other means had been exhausted.

While the miners were learning these lessons in industrial government, other unions within the American Federation of Labor were going through the same process. In this we were interrupted by the struggle for existence into which we were forced in the immediate post-war years. Before the Jacksonville agreement was

made, the area of major production had shifted from the central competition basis to the Appalachian. For further expansion in our movement, and for the social and labor legislation which we in the mine workers' union had always considered so essential, we were forced to wait for many years.

CHAPTER IV

INDUSTRIAL ORDER THROUGH VOLUNTARY ORGANIZATION

BACK of our own struggle in the United Mine Workers was the inspiration of the great leader in the American Federation of Labor. Samuel Gompers understood and interpreted the spirit of the American working man as no other man had ever interpreted it. Few Americans have so clearly recognized the full meaning of democracy, both as a form of government and as a way of life. He saw that democracy begins in the workshop; he insisted that the American labor movement be founded on economic organization, that the union of men in each shop, mine or place of work must be the instrument for expression of their viewpoint and the agency for joint action with management on the problems that concerned them. He steadfastly refused to ally our movement with Socialism or to permit us to divert our main energies away from the workshop into party politics. Although political action was essential, as I well knew, for certain problems, our main effort was to be concentrated on union organization in the shop and collective bargaining. Political action was an aid to collective bargaining, but always secondary to it.

Samuel Gompers saw, too, that no movement can be truly democratic unless it is based on voluntary action, and this great principle of "voluntarism" he gave us in words we shall never forget, in his last message at the El Paso convention. He honored me by asking me to

read that message to the convention—a request due to his failing vision. "I want to urge devotion to the fundamentals of human liberty," he told us, "the principles of voluntarism. No lasting gain has ever come from compulsion. If we seek to force, we but tear apart that which, united, is invincible."

On December 13, 1924, came the end of a great crusading leadership. We were stunned by his loss. There was no one who could take up his task and lead as he had led, with his clear vision of the fundamentals of human liberty, interpreting principles into agencies for action. His authority rested on his vision and his work as the founder of the Federation. When on December 19 I was told that I had been chosen by the Executive Council to succeed him I felt very deeply the responsibility that was laid upon me. It was a call to great service; I could but respond with the best I had to give. I was and always have been fully in accord with the fundamental principles on which he based our great movement; it was an inspiration to take up this work for human freedom and human development, for justice and democracy.

As my task widened from the problems of the coal miners to those of workers in all industries, I realized anew how truly the philosophy of our movement blended with the American institutions—the American ways of life which had grown up in our common effort to unleash the economic resources of a new continent. Here was a new country where the principle of an equal chance for all to life, liberty, and the pursuit of happiness had guided our thinking for a century and a half. We had no class hatreds; we had no century-

old tradition of domination by one class over another. American institutions were adequate for the needs of the workers. For although we had bitter struggles to establish our rights in courts dominated by anti-union employers, we knew that once the American public understood our cause and saw that it was just, it would fight with us in our legislatures to establish it. The American labor movement has never been forced to separate itself from the rest of the body politic by establishing a labor party. Our main effort has always gone into setting up the mechanisms through which free men could deal with each other in shop and mill, mine and railroad. And in the political field we have supported those friendly to labor's interests and opposed its enemies.

Fortunate it was now that labor had established these agencies for collective dealing with their employers in thousands of workshops throughout the country. For we had come to a time (1925 to 1929) of swift and unexpected change; vexing problems arose almost overnight; the new techniques of our expanding mass-production industries replaced thousands of workers, sent men and women to walk the streets looking for jobs even in prosperous years; new high-speed machinery brought new strains; multiple-looms, machines operated in gangs, increased the work load; the new skills of a machine age replaced old hand skills, and men who had worked years at their craft and were expert found their occupation gone, their specialized skill useless, their only hope to take a machine tender's job at low pay.

Great injustice was often done to the wage earners in these years. For in non-union plants machines were introduced without thought of their tragic effect on human lives. Such problems were not new, but never has there been a time in our history when mechanization came at such breath-taking pace. In ten short years (1919-1929) the per hour producing power of workers in our factories increased 54 per cent through these new machines. This productivity increase in ten years was twice that of the previous twenty years. At the end of this decade it took only two men to do the work which had required three just ten years before.

Fortunate indeed were those workers who had established their unions and could work out jointly with management the ways and means of adjusting to this change, to prevent its burden from falling too heavily on them. For those who had no unions, the new machinery, which eliminated work and should have brought leisure, brought unemployment instead; and new uses of power, which should have lightened the worker's load, only added to his strain by increasing speed, noise, and nervous tension, without reducing the hours of work.

The subject came up in our annual conventions where we could establish principles for action applicable to all parts of the country—for the problem was nationwide. We were realizing for the first time that unless wages and workers' buying power increased proportionately with their power to produce, workers would fall to an ever lower place in our society, forced downward by an ever decreasing share in the wealth

they produce. Also, mass-production industries would languish for want of customers, since they depend chiefly on wage earners to buy their products.

In 1925 we set up our new wage policy. The Atlantic City convention declared that: "Social inequality, industrial instability and injustice must increase unless the workers' real wages, the purchasing power of their wages, coupled with a continuing reduction in the number of hours making up the working day are progressed in proportion to man's increasing power of production."

This marked a second basic change in American labor's wage policy. Although we have always striven for higher wages, in the years from 1916 to 1919 when prices rose more than wages, our living standards were drastically reduced. We declared, therefore, that it is not enough merely to raise wages, but that wages must advance more than prices in order to create higher living standards. Now it was necessary to adjust wages not only to prices but also to producing power, and to adjust wages not separately but in relation to hours. Only thus could America's increasing power to produce with modern machinery actually result in raising the standard of living for the masses of her people who are in greatest need.

Our new wage policy was followed the next year, 1926, by the beginning of a drive for the forty-hour five-day week. For a century and a quarter American labor had striven for a shorter work day, and we had reduced work hours from twelve and fourteen a day in the early 1800's to eleven in 1860, ten in 1890, and by 1925 the eight- or nine-hour day was prevalent in

a large part of American industry. Because of modern high-powered machinery we felt it was now necessary to reduce the number of work days per week as well as to shorten the work day. Not only had power machinery brought the strains of high speed, but subdivision of work was organized so as to eliminate creative activity; jobs had been reduced to simple mechanical motions repeated thousands of times. Monotony was making machines of men. They needed a two-day week-end for rest and mental change if mind and nerve were not to break under this strain.

This policy of shortening the work week and adjusting wages so that workers' incomes would advance in proportion to their increasing power to produce we found to be wholly in keeping with American industrial development. It is the genius of American industry to reduce the unit cost of producing goods year by year, by more efficient work methods, by introducing machinery, or by converting plants to a mass-production basis. Higher wages do not necessarily mean higher unit costs, for the savings made by increasing efficiency are enough in the long run to raise wages, shorten work hours, reduce prices, and still bring a profit to the well managed plant. This is clearly shown if we review a period of eighteen years. For in 1937, weekly "real" wages of factory workers (wages in terms of the goods they would buy) were 7 per cent higher than in 1919, the work week was shorter by twelve hours, wholesale prices of manufactured goods were 34 per cent lower, and yet the country's leading industrial companies were able to earn more than 10 per cent on their net worth.

Our policy of productivity wages and shorter hours, therefore, served to bring to wage earners a larger portion of the increasing wealth they produced in this pre-depression period of unparalleled prosperity. Gains to workers, however, were not made without strong trade union action. Thousands of wage increases and shorter hour schedules introduced between 1925 and 1929 came through collective bargaining between workers and management in their shops and plants. Thousands more were given voluntarily by unorganized concerns because they knew their employees would be discontented and would join unions if their wages did not advance with union scales. Some unorganized and highly profitable plants kept wage scales in advance of union rates to make sure their workers would not organize. Thus directly or indirectly the union was the means of giving the worker a place in the nation's increasing prosperity.

These were years also of growing recognition for the American Federation of Labor. I was constantly receiving requests to speak before chambers of commerce, businessmen's clubs, church groups, colleges and universities to explain labor's problems, labor's point of view. These groups greeted me with cordiality, and their interest showed a genuine desire to understand our basic principles and policies. The American public, I found, were beginning to see the labor movement as the means through which the majority of American citizens could participate in the nation's material and social progress. Many employers who had dealt with unions of their employees for a period of time were realizing that the American Federation of Labor is not

only a militant organization, asserting and defending the rights of wage earners, but is also the agency through which workers can make their fullest contribution to industry. Union members are interested in the advancement of their work, as well as its economic returns; they are concerned in developing skills and discussing work problems so that their union becomes the starting point for initiative in many matters which may contribute to the advancement of their industry and community.

While public understanding of the American Federation of Labor was improving, I felt that in general employers failed to recognize the essential difference between the American labor movement and the foreign labor movements which place greater emphasis on action through a political party. Here in America, with our interest centered in the workshop, trade unions are establishing industrial government and industrial democracy by collective bargaining with management at the place of work. Insofar as standards can be fixed and wages and working conditions improved at the place of work through joint action by unions and management, and the scope of voluntary cooperation extended, just so far will government regulation be unnecessary.

The structure and control of our movement has made possible a cooperative relationship between unions and employers, which could not otherwise be achieved. Our local unions study work problems and the questions affecting their industry as they could not do if members' interests were continually diverted to political action as the prior objective.

During this period of prosperity there developed a number of plans for union-management cooperation, the forms differing according to the work problems concerned. This was an outgrowth of collective bargaining, and, I felt, the highest point it had attained. I believe collective bargaining is the means to understanding and industrial peace, to cooperation and higher wages and living standards for wage earners, and I heartily wish those employers who oppose trade unions would allow us to organize, to sign agreements with them and give to a cooperative relationship the service we are capable of giving. We know that our living standards, our opportunities for advancement depend on the prosperity of industries in which we work. Once our trade unions are recognized, an agreement signed, machinery for adjustments created, and we know that management is ready to deal fairly with us, sharing equitably the results of joint enterprise, we can give ourselves wholeheartedly to cooperation for the improvement of the work and elimination of waste.

On the railroads, union-management cooperation had its beginning during federal control in the World War. The Railroad Administration had recognized trade unions as the proper agencies to speak for labor, and the unions in turn reciprocated by offering cooperation to improve morale and service on the railroads. After the roads were returned to private control, however, it was not until 1923 that union-management cooperation began to take definite form in relations between private management and organized employees. The shop craft unions brought the idea of cooperation to the railroad managements, and found Daniel Willard,

president of the Baltimore and Ohio, and Sir Henry Thornton, president of the Canadian National, ready to give it a year's trial in the railroad repair shops. An engineer was engaged by the shop craft unions to advise them in working out the many details of a cooperative plan. Two shops were chosen, one at Pittsburgh on the Baltimore and Ohio and one at Moncton, New Brunswick, on the Canadian National.

Relations between workers and management in these shops were about as far as possible from the ideal. The union was tolerated only as a necessary liability by the local managements, and much time was wasted in grievances, discontent, and misunderstandings growing out of management's resistance to the union. The whole basis of work relationships had to be changed. This was accomplished over a period of time by working along certain definite lines. First it was necessary for management to accept the trade unions as helpful, necessary and constructive in the conduct of the shops. A written agreement was negotiated covering wages and work conditions, and providing for prompt adjustment of disputes.

The next step was a reciprocal understanding which provided (1) that the unions cooperate with management to improve railroad service, increase efficiency and eliminate waste, and (2) that management on its side help the workers to solve their problems, regularize employment and share whatever gains resulted from the workers' cooperation. This form of reciprocity was particularly important. For workers cannot wholeheartedly cooperate to improve efficiency if they have no share in the results and if, by increasing produc-

tion and eliminating waste, they succeed only in working themselves out of a job. Therefore the confidence and security given the workers by this understanding, negotiated through their trade unions, is a fundamental without which there can be no true cooperation.

Finally, arrangements were made for regular meetings of a joint committee of management and union representatives, in equal number, to promote and maintain cooperative effort. These meetings usually took place at two-week intervals, and the committee included a union and a management representative from each department, some fourteen persons in all. This committee discussed every sort of proposal, made by men or management, for improving shop conditions, shop work or railroad service. Business was transacted promptly, decisions reached quickly. Matters requiring further study were delegated to a small subcommittee which reported back to the next meeting.

Worked out along these lines, union-management cooperation began to effect a transformation in these two shops. Labor has a very profound interest in improving industrial performance. A competent workman wants first of all to be able to do a good job. He is an intelligent, thinking human being; he wants to take part in shaping the conditions which make a good job and a good life possible. He has an intimate knowledge of work details and a store of work experience. If his mind is free to concentrate on improving his job, he will instinctively think of ways to prevent waste, short cuts to better accomplishment. Usually, however, he is not in a position to make this contribution, for he and his fellows will have no share in the benefits resulting from

it, and he may even limit the jobs available if he improves efficiency. Without the union agreement, his mind is not free from the haunting shadow of insecurity; he has no feeling of partnership in the enterprise.

When management in these shops recognized the union as a constructive part of the work organization, a wholly new spirit developed. Union members found that their suggestions for better light, heat, sanitation, more regular employment, were no longer treated as grievances but adopted as part of a program for better work and better work conditions. Reciprocating, they made literally hundreds of suggestions for preventing waste, improving quality and performance. The whole emphasis was changed from grudging submission on both sides to active and energetic cooperation.

The union shop chairmen, sitting on the cooperative committee, became the agents for transmitting members' suggestions, most of which were quickly adopted and put in practice. Given positions of dignity and responsibility, these union chairmen were respected in a new way. They became an indispensable part of shop administration. Their function was no longer limited to that of policing the agreement, standing up for members' rights and interests. They took responsibility for guiding the work, helping individual workers to use their ideas in ways most constructive for improvement of the job as a whole.

Management on its part made special efforts to regularize employment, so as to prevent as far as possible the long periods of idleness which had cut down the men's earnings. Work which had been contracted out

was brought back to the shops, to be done in slack periods. Much of the usual seasonal unemployment was eliminated.

Trial of union-management cooperation in these two shops resulted in its extension to other shops and other services throughout the railroads. Both management and union officers have been enthusiastic about its results. On the Canadian National Railways from 1924 to 1929, 6,358 suggestions were made through this plan looking toward improved shop conditions and output, most of which came from the men and would never have been made but for union-management cooperation. Of these only 12 per cent had been rejected, and those accepted were felt by both parties to have been of immense benefit in improving work and work conditions. Stabilization of employment had, according to estimates, added an average of $150 per year to income of every one of the 16,000 shop workmen covered by the plan, and savings due to increased efficiency had resulted in a two weeks' vacation with pay for each of the workers.

The results of the plan, however, were more than these tangible benefits. By bringing together the executives of the railroads and the spokesmen of organized labor in a new relationship, each developed a new understanding of the other's point of view. Grievances and difficulties over the interpretation of work rules virtually disappeared; the men found a new spirit on the part of management in considering their needs. As the plan was extended, service and morale on the railroads improved; better work in the shops meant fewer engine and car failures, fewer delays. This meant

better service to the public. The management found increasing efficiency and lower unit costs in the shops due to the interest of the men and mobilization of useful, practical ideas. Also, these union members extended their interest outside the shop, and brought business to the railroads by urging their grocers and suppliers to ship over these lines. The men found that in addition to more regular employment and vacations with pay, their cooperative effort brought them higher hourly wages and higher yearly income.

In addition to union-management cooperation on the railroads, union participation to improve production and set job standards was developing in other industries. The Printing Pressmen established an engineering service, available to employers who had signed contracts with their local unions. At their headquarters in Pressmen's Home, Tennessee, a staff of engineers was maintained, and a careful examination of union-printed newspapers was made to reveal faulty press work. Whenever inferior work was discovered, a member of the engineering staff visited the paper concerned, looked into its causes, and jointly with management arranged for the necessary improvements and corrections. Hundreds of letters from employers show their appreciation of this service and its value in improving press work, and the Pressmen have, in addition to better work conditions and the ability to do better work, achieved a steadily increasing wage income. The Photo-engravers International Union has a research department under a full-time director which tests out new ideas and serves as a clearing house for up-to-date technical information. The Pulp, Sulphite, and Paper Mill Workers have co-

operated with management to improve efficiency and prevent accidents in Sault Ste. Marie and on the Pacific Coast. In Sault Ste. Marie the interest of union members transformed the mill's product from one of indifferent and irregular quality to a paper of the highest uniform grade.

In fact, the majority of our unions whose agreements with management are of several years' standing have some constructive undertaking which is making the union of more value to its members and to the industry. The United Textile Workers in one of their New England locals set up, in cooperation with management, a joint research staff, through which their members cooperated with management in setting job standards; the International Ladies' Garment Workers had a joint committee to make time studies and agreements guaranteeing employment in some markets. A number of International unions cooperate with management in plans for apprentice training so that the craftsmen of the future may learn the best possible work methods and work standards. The Electrical Workers' joint council for the settlement of disputes, composed of five members each from management and union, has solved many difficult problems and contributed greatly to the efficiency of the industry.

Arbitration procedure for the settlement of differences replaced strikes over an ever widening area during these predepression years, and as we turned to arbitration in wage disputes we developed research to secure and present the necessary factual information. Use of research in collective bargaining also increased, and union executives studied trends of production and

productivity, comparing wage gains with increases in industrial income, with changes in cost of living, studying unemployment and technological changes. In this period technological unemployment made its appearance as a mass problem, due to the rapid installation of labor-saving machinery. After the increasing unemployment of 1927, the Federation began its trade union unemployment reports, which today give us monthly information on unemployment and part-time work for more than a million trade union members in 2,400 local unions in twenty-four cities. These records have given us a firsthand picture of actual conditions among our membership, essential in securing relief for the unemployed.

Our research and study showed clearly that in unorganized industries peak prosperity was by no means bringing wage earners their rightful share in America's increasing income. From 1922 to 1929, production of manufactured goods increased at an average annual rate of 4 per cent and union wages at a rate of 4.5 per cent; the report of President Hoover's committee on Recent Economic Trends showed, however, that earnings of factory workers in general had increased at an annual rate of only 2.4 per cent, while profits of industrial corporations had risen at an annual rate of 9 per cent and dividends at a rate of 6.8 per cent. Thus union members were able to keep their wages advancing more closely in proportion to production. Studies since 1929 have shown that in this prosperity era our industries were equipped to produce a comfort level of living for all. Yet there were in 1929 20,000,000 persons living below a minimum health

and decency standard, not even able to secure the necessaries of life, let alone the comforts. In this same period, when factory wages increased from an average of $1155 per year in 1922 to $1316 in 1929, a gain of only $161, total income paid to persons receiving $100,000 a year or more rose from $893,000,000 in 1922 to $4,368,000,000 in 1929, an increase of nearly $3,500,000,000. This gain for the very wealthy was a sum sufficient to support 1,750,000 families in health and decency. Also, the number of persons receiving yearly incomes of $500,000 or more increased from 228 in 1922 to 1,489 in 1929. In addition to persistently low wages in unorganized industries, increasing technological unemployment was dragging down the living standards of many hundreds of thousands of American families, for even when prosperity reached its all-time peak in 1929, there were nearly 2,000,000 unemployed.

American labor felt, however, that although the introduction of machinery was creating these serious problems, the answer was not to oppose the machines but to see that wage earners were organized in strong trade unions so that they could advance wages and shorten hours in proportion to increasing productivity and see that workers were not penalized.

Certain types of speed-up methods, introduced by so-called scientific management experts, we found it necessary to oppose, for labor had no part or voice in installing them, no chance to see that methods of work and rates of pay were just to those they affected. In many cases these speed-up methods placed an intolerable work load on employees, destroyed craft skills,

and gave no just reward for increased productivity, as with the "stretch-out" in Southern textile mills. Scientific management techniques, however, when they give full consideration to the human element and are installed under joint supervision of management and organized workers, may be of much benefit in eliminating waste, improving work conditions and increasing efficiency. Labor has a very definite stake in efficient management, for unless the production process is conducted as economically as is possible without working injustice on any employee, and unless costs decrease and efficiency improves, we cannot hope to produce the income which will give us higher living standards. It has been claimed by persons interested in industrial and social progress that the attitude of the American labor movement on scientific management is more forward looking than that of labor in any European country.

While our efforts to establish union-management cooperation had brought outstanding success where collective bargaining had been of long standing, these constructive policies were frustrated and checkmated elsewhere by bitter opposition on the part of anti-union employers, who refused to bargain collectively with us or even to permit their employees to join trade unions. We were met by a concerted drive against us. Company unions were developed and certain employers' associations encouraged their members to establish these company-dominated "employee representation" plans to prevent their employees from joining bona fide trade unions. Many workers were at

first deceived by these plans, believing that they would give them true representation. Others were forced into company unions by pressure from management. For employers accompanied this drive against us by discrimination against workers who joined a union, and many were the men and women who lost their jobs because they took active part in lawful efforts to help their fellows improve conditions and reach a better life.

Frequently in those days union activity in an anti-union shop meant not only loss of job but blacklisting; and blacklisted workers went from shop to shop and even from town to town unable to get another job. Outlawed from employment, denied the right to earn a living, their families were forced down with them into desperation, hunger, and want.

What could be more clearly contrary to the very basis of democracy than this persecution? Yet, ironically enough, employers justified it by calling it the "American Plan." They spread propaganda far and wide in an effort to create public opinion supporting the plan, claiming that the so-called "open shop" gave workers the right to freedom of contract as against the union shop which required membership in a trade union. We found, however, that the "open shop" was a shop closed to trade union membership. For whatever these employers claimed to the public about the freedom of their employees to join a union, actually, by subtle pressure and discrimination, by discharging and blacklisting men who actively advocated the union, they kept their workers in a state of fear and subjugation. What freedom of action could there be

under such circumstances, when a man knew that joining a union might mean loss of job and loss of income for his family?

A striking incident showing the tactics of these American Plan employers occurred during our Detroit convention in 1926. I had been invited to address a mass meeting on Sunday afternoon, October 10, under the auspices of the Young Men's Christian Association in this "open shop" town. On October 5, the Detroit newspapers carried a statement that the invitation would be cancelled and next day I received an official call from the president and secretary of the Y.M.C.A. who advised me that the board of directors had decided to withdraw the invitation. They expressed sincere regret and explained that the Y.M.C.A. had under way a building program running into several million dollars and they were apprehensive that if this mass meeting were held the building program would be jeopardized. These open-shop employers, who had won their millions through the toil of the workers, would withdraw their contributions if the mass meeting were held under Y.M.C.A auspices! Such were their measures to check free speech and free assembly, and prevent the message of the American Federation of Labor from reaching their employees.

The "yellow dog" contract was another means of closing the so-called "open" shop to union membership. Many large companies and many smaller firms forced workers, as the price of getting a job, to sign a contract that they would not join a trade union. Although leading lawyers and men in high public office condemned the "yellow dog" contract as illegal and contrary to

public policy, pointing out that it was not a free contract and that it destroyed the very basis of liberty and denied workers their lawful right to protect their interests, yet the courts upheld these contracts. Thousands of workers were held in subjection by them, unable to take any action whatever to better their conditions.

What freedom of contract could there be for a family man looking for a job when he came to a great corporation and was told that the chance to earn a living depended upon signing away his right to join a union? There is no such thing as equality of bargaining power between an individual worker and a powerful company; equality can only be gained by strong union organization. The "yellow dog" contract required a man to remain in the same helpless condition which forced him to sign it.

What with this pressure and the belief of many workers that employers intended to give them true representation through company unions, the company union movement at its peak reached a membership of more than 2,000,000. Company union members found, however, that when they tried to use these organizations to secure wage increases or shorter work hours, either they got no hearing from management or were forbidden to introduce such subjects. If they insisted, they found the company union could be discontinued altogether, or the individual leading such action could be discharged from employment. Having no leadership outside their own plant to which they could turn for help and guidance, they were completely in the hands of management. Far from assist-

ing them to improve their conditions, employers sometimes used the company union meetings to gain employees' acquiescence in wage reductions.

Awakening to this deception, thousands of company union members revolted and joined trade unions as soon as they had the right guaranteed by government. During the period before 1929, however, company unions served to check the growth of cooperative relationships between management and free trade unions, and thus to delay democratic organization in industry.

One of the most pernicious features of the employers' drive against us was the increasing use of court injunctions. My experience with injunctions against the miners helped me in the problem of developing legislation to protect all workers. The courts virtually became law-making bodies where orders having the force of law could be issued by one judge at the request of an employer. In very many cases where we were forced to strike to gain a hearing for our cause, we were met by such court action. On the excuse of protecting property in an emergency, injunctions were issued prohibiting perfectly lawful acts, and men were thrown into jail for disobedience, with no chance for trial by jury.

In the case of the Interborough Rapid Transit Company, the employees struck against the company union established by the company because it was enforcing oppressive work conditions. An injunction against union officers and officers of the American Federation of Labor prohibited us from "advising employees to become members of any union except the

Brotherhood of IRT Employees" (the company union) and "from holding meetings to persuade employees to make demands for higher wages" and other purposes. Could there be any clearer infringement of our basic constitutional right, the right to free association, which is one of the four fundamentals on which American liberty rests?

During the miners' struggle in 1927 and 1928, an injunction in West Virginia deprived them of their homes and for two years they were forced to live in barracks. Striking building tradesmen in Cleveland were ordered back to work by an injunction; machinists, striking against the United Shoe Machinery Company because a "yellow dog" contract was being forced on them, were enjoined against striking and against paying strike benefits; in West Virginia, coal miners in some two hundred mines were forbidden to organize; Boston Milk Drivers were enjoined against picketing. Yet organizing, striking, paying strike benefits, picketing are lawful acts under federal and state statutes. Scores of other examples of injunctions against these and similar lawful activities could be given.

The Sherman Antitrust Law and the Clayton Act were also used to blockade union activity, as that in the case of United States *vs.* Brims decided by the Supreme Court in 1926. In this case an agreement between manufacturers, building contractors and union carpenters to employ only union men was declared a conspiracy in restraint of trade and therefore illegal. In many other cases action was brought against unions for organizing, striking or other activities declared to be conspiracies in restraint of trade. The antitrust laws

were clearly intended to apply to commodities and not to the labor power of a human being, which is not a commodity. And yet, in the courts, labor power was persistently treated as a commodity.

We felt that the fundamental difference between a free man and a serf is that the free man has the right to withhold his labor and to join with his fellows to improve the conditions under which he works. The courts were denying us the essential rights to organize and to strike when necessary in order to gain a hearing. As Justice Brandeis has so clearly stated, man must rely upon the group of which he is a member to bring about needed reforms. We had shown through union-management cooperation how organization in free trade unions can work in an orderly and constructive way to create a more abundant life for working people. Yet the freedom to bring about this progress was denied us through injunctions and decisions issued by certain judges, dominated by powerful corporations. We have found here in America that our great desire is to be free, economically free. This was the issue: Should we have government by consent in this country? Or should regulations affecting our fundamental liberties be dictated by powerful corporations?

The use of injunctions was endangering the very concept of a legislative and democratic government in this country. Congress, and not the courts, has the right to make laws affecting our fundamental liberties, for Congress represents the people. The courts, by their increasing orders and decisions, were building up property rights and the sacredness of property; they were ignoring human rights and the fundamentals that

make for human welfare and progress. Attempts to safeguard the basic principles of freedom guaranteed by the constitution were stopped by court order and declared illegal. The constitution speaks more fully of personal and human rights; the emphasis on property rights is a legal fiction which has grown up through court interpretation. In the earlier development of American economy, protection of property rights was of particular importance, for the large majority of our citizens were property owners; their personal livelihood and the economic growth of the country depended on protection of property. Today the large majority of our citizens are wage earners; human rights must be protected if they are to enjoy life, liberty, and the pursuit of happiness as provided in the constitution. Court decisions often have not been in harmony with the economic realities of our time.

Certain individuals urged us to form a labor party and develop independent political action to remedy these evils. I felt that this was not necessary. Our well tried methods of nonpartisan political activity were adequate to meet this situation. I was convinced, and I am equally convinced today, that there is no wrong which we suffer that cannot be righted when the conscience of the people is sufficiently aroused so that public opinion will stand with us.

We undertook political and legislative action along several lines. First, it was clear that federal legislation to limit the jurisdiction of equity courts was needed. Congress granted jurisdiction to the courts, it was the duty of Congress to define that jurisdiction. Secondly, amendment of the antitrust laws was needed to state

clearly that they apply to the products of labor but not to labor. Thirdly, the "yellow dog" contract should be declared null and void as contrary to public policy. Fourthly, we needed to select judges who would protect human rights. To accomplish this, we felt that candidates for judge should be required to account for their use of equity jurisdiction in open public discussion.

Bills to limit and define equity jurisdiction were introduced in Congress, and in 1928 we secured action by both political parties to include in their platforms a section declaring the need for anti-injunction legislation. It was not until the passage of the Norris-LaGuardia Act in 1932, however, that we finally bettered the injunction evil in the federal courts.

Efforts to secure state legislation outlawing "yellow dog" contracts met with difficulties, and only one state, Wisconsin, passed such a law during this period. It was not until the passage of the National Labor Relations Act that we secured final relief from them and also from the conspiracy doctrine under antitrust laws.

While struggling against attacks from employers on the one hand, we were faced on the other with an insidious danger from persons who, parading as friends, were actually seeking to destroy our organization by injection of communist philosophy. These communist doctrines were totally at variance with American trade union philosophy. We were trying to build up constructive collective bargaining relationships with our employers, reaching forward to different types of union-management cooperation. The Communists condemned such activities as "class collaboration" and tried con-

tinually to develop class consciousness and class conflict. Their philosophy looks only toward revolution, and they attempt by fomenting strikes and industrial strife to keep alive a spirit of conflict.

In the year 1929 there came a call for aid from an unexpected quarter. Textile workers in the South had for years been working under intolerable conditions. While laws protecting women in Northern states, such as Massachusetts, limited the work week to 48 hours with no night work permitted, the hour limit in North Carolina and Georgia was 60 per week, in South Carolina 55, and in Alabama there was no limit whatever. Night work was permitted in all Southern states. An eleven-hour day for six days a week and a twelve-hour night for five nights was common in the South. In addition, wages were so low that a large proportion of the workers earned only $8, $9, or $10 per week after working these long hours. The average in 1927 in the Southern textile industry was reported by the United States Department of Labor as $10.98 per week, which compared with an average of $17.15 a week in Northern textile mills, a wage 56 per cent above that of the South. The wages at Marion, N. C., are a good example, where unskilled workers in 1929 received $6 to $9 per week, semi-skilled $10 to $12, more skilled $13 to $15, and the most skilled received $19 a week. This compared with average full-time wages of $58 per week being received by union building trades and $56 per week by union printers in 1929 in the United States as a whole.

Families attempting to live on these low wages could not buy adequate food. Undernourishment was obvious

among the children in textile mill villages; pellagra, the starvation disease, was prevalent.

With work conditions already below minimum subsistence standards, the southern manufacturers imposed the "stretch-out" on their workers. In an effort to cut labor costs still further, they doubled or trebled the number of looms of other machines tended by each worker. An increase from twenty-four to seventy-six looms per worker was common and in extreme cases, for work on coarse goods, some workers even tended 140 looms.

This was the last straw for Southern textile workers. They struck in mill after mill, and the revolt against the "stretch-out" spread quickly from town to town until by the summer of 1929 some 17,000 textile workers were out on strike. Beginning in Ware Shoals, S. C., in January, this workers' revolt spread to the large rayon mills at Elizabethton, Tenn., in March, where 5,000 struck. Soon workers in Greenville, N. C., Union, Anderson, Mills Mill, S. C., Marion, N. C., Gastonia, and other textile centers were rebelling and striking against low wages and the "stretch-out" system.

The workers at Elizabethton appealed to us to help them form a union, deal with their employers, and secure a signed agreement. I immediately sent one of our representatives to them, along with representatives of the international unions. On reaching Elizabethton, our representatives were brought from their hotel rooms at night and met in the lobby of the hotel by a committee of leading citizens—bankers, clergymen, real estate men, and two policemen. They were forced into taxicabs, driven across the state line into Virginia, and at

the point of a pistol told what would happen to them if they ever came back.

When I heard the story of this kidnaping, I was so indignant that I took the first train to Elizabethton. I told the striking workers that this incident was a challenge to the American Federation of Labor, that we would stand by them in their fight and do all in our power to bring these kidnapers to justice. We would throw the pitiless light of publicity on them and show how puerile and narrow-minded was their attempt to thwart the lawful purpose of their workers. Those who kidnaped the workers' representatives did so because they wanted to keep their employees in a state of serfdom and subjection. The American Federation of Labor has fought and sacrificed throughout our history to free men and women from just such industrial serfdom which was contrary to the basic principles of freedom and free government in our country. The Federation is here to help establish democracy in industry. For if there be no voice for American workers in their factories, no chance for organization to lift themselves to higher living standards, there can be no such thing as democracy in America. Our purposes are constructive, bringing better business to the community by increasing workers' income and living standards. We want to set up agencies for orderly adjustment of wages, for cooperation, and friendly relationships.

On returning to Washington, we secured a Senate resolution to investigate the textile industry of the South, and at the hearings before the Senate Committee on Manufactures in May our representatives brought a wealth of testimony on the conditions existing there,

the low wages, long hours, and the arrogant dictatorship of the employers. This hearing resulted in an investigation by the Federal Trade Commission.

Meanwhile strikes continued in the Southern textile mills, where workers were without union organization. They called on the Federation for help. In Ware Shoals, the first strike in January 1929 had won the workers a grievance committee to deal with management, but they had no union. Several months later the chairman and vice-chairman of the committee sent for our representative to organize them into a union, and a mass meeting was held on June 2. The next day the two committee heads were fired. The entire 2,000 workers responded by going out on strike.

Management refused to deal with our representative or the workers, but took twenty-five armed strikebreakers into the mill. On coming up to the gate, our representative found a large group of strikers armed and waiting there to "get" the strikebreakers when they came out. With considerable difficulty they were persuaded against such action, and finally they agreed to submit the dispute to the State Board of Conciliation. Management, however, refused this solution and called on the governor for troops. When the governor refused to send troops without an investigation, they hired thugs to foment violence and make armed force appear necessary. We had many similar experiences with bitter resistance and unwillingness to recognize the union on the part of management.

Back of these strikes was more than a century of Southern history. The ancestors of these mill workers more than a hundred years ago had been small farmers

who owned their land and made an independent, though frugal, living from the soil. Gradually, with the development of rich plantations and their slave labor, these smaller land owners were pushed back onto the poorer land, into the valleys and mountains. Many of them, unable to keep out of debt, lost their land and became tenants. Too poor to buy their own supplies, they were furnished on credit by their landlords, repaying at the year end with their crops. They rarely saw money, were always in debt, and eked out a miserable subsistence. But in their clans among the mountains they built up a proud and rugged spirit of independence.

The end of the Civil War, with the freeing of slaves, left the southland prostrate. The old economy of the plantation depending on slave labor was gone. In this extremity, the cotton textile industry came to the South as economic salvation. Plantation owners who built cotton mills and gave work and income were hailed as great leaders by a desolate people.

During the half century that followed, mountaineers and tenant farmers flocked to the mills; the textile industry grew and prospered. After their miserable existence on the farms, mill wages seemed like a fortune to these new textile workers. They had money in their pockets, they could buy clothes, food, fuel. They looked upon the mill owners as benefactors and protectors.

As time wore on, however, domination and exploitation by the mill owners kept wages at pitifully low levels. New generations of mill workers found their incomes wholly inadequate for a decent living. News of higher pay in Northern mills filtered through to them,

but isolated as they were in mill villages, dependent on the mill for their homes as well as their income, they were helpless. Then came the World War, bringing peak textile production and a scarcity of labor. Textile workers came into their own and felt a new sense of importance. Unions were organized but were lost again in the depression and wage cuts of 1921. Nevertheless, former union members remembered their experience, and in the new emergency of 1929 they turned again to the American Federation of Labor.

The plea of Southern workers for organization came to our 1929 convention, and a conference of representatives from international unions was called in November. The international unions agreed to send their representatives to the South and the American Federation of Labor opened an office at Birmingham, Ala. The Federation also retained a director of education, a director of publicity, and an industrial engineer.

On January 6, 1929, I began a tour of the South by addressing a conference of organizers, workers, and the public at Charlotte, N. C. From there I travelled through North Carolina, Tennessee, South Carolina, Georgia, Alabama, and Virginia, speaking to mass meetings of workers, state legislatures, and other gatherings at such centers as Nashville, Chattanooga, Columbia, and Greenville, S. C., Macon, Ga., Danville and Richmond, Va., and many others.

Everywhere I found the workers eager and keenly interested, flocking in thousands to the meetings, looking to the American Federation of Labor as the agency of justice and freedom. But they were dominated by the fear that they would be laid off and discriminated

against if they joined a union. These fine Southern men and women, of pure Anglo-Saxon stock, made a deep impression upon me. Many were thin and undernourished, bent from long hours of toil. Yet, their staunch spirit of independence, their eagerness to understand and work out their problems in a constructive way, promised a strong movement which could quickly learn to handle their problems through collective bargaining and build up relations with their employers on a basis of true cooperation.

I felt that our problem here in the South was one of education. Workers had no experience in trade union methods. Employers had no understanding of the union, but had built up in their minds a bugaboo of the union, due to the propaganda of anti-union employer associations. The South needed a new democratic system giving their employees, through trade unions and collective bargaining, a voice in determining wages, hours, and the conditions affecting their lives.

My trip through the South gave a unique opportunity. In addressing these great public meetings, chiefly attended by workers but also by citizens from all walks of life, I explained the purposes of the American Labor movement and offered true cooperation of the workers in industry, which can come only through trade union organization. I showed them that in modern life organization is the order of the day. Men organize in churches, fraternal associations, recreational and other societies, each for a specific purpose. Employers organize great corporations and employers' associations. It is absurd to claim that workers, closely associated as they are in their work, should not organize to handle

their common problems. The great churches: Methodist, Baptist, Episcopalian, Catholic, had all endorsed the workers' basic right to organize in trade unions and bargain collectively with employers for their conditions of employment.

Workers who felt resentment because they were not permitted to organize in unions could not give their best to industry. On the other hand, union members who knew that management was ready to share with them the results of their work, could give themselves wholeheartedly to efforts for improvement of industrial operations. Workers depend on the success of industry for their wages; they have no desire to injure their employers' business, but are ready to help create the earnings which can give them a higher income.

We explained these basic principles to the people of the South and the Federation accompanied its campaign of organization by offering the services of an industrial engineer to any mill recognizing a union which was unable to improve workers' wages and conditions because of low earnings.

While we were conducting this constructive effort, we were meeting here as elsewhere with the destructive tactics of the Communists. In the strike at Gastonia, Communists gained control, and in other centers we often had to undo the damage done by their revolutionary doctrines before we could place union organization on a constructive basis. An editorial in the *Chicago Tribune* stated the case as follows:

"The program of the Federation appears to offer the only escape from further bloodshed and demoralization. If there is any statesmanship in the Carolinas, the

organizers of the Federation will be given every protection the law affords.

"The Communist agitators, preaching relentless class warfare, have as yet made little progress. The workmen are still for the most part confused. It may still be possible to organize them into effective trade unions which can deal peaceably with employers.

"The effort of the Federation to organize the mill workers of the South deserves the endorsement of far-seeing business men throughout the country."

In spite of opposition from employers on the one hand and Communists on the other, our efforts bore fruit. At our 1930 Convention an incomplete report showed 112 new local unions organized in the South and five central bodies, with increased membership in locals already existing.

CHAPTER V

TRANSITION—TOWARD SOCIAL CONTROL

(1929–1939)

THE WORLD WAR concluded, the American people turned to the task of readjusting their lives to the ways of peace. There was work to be done: not only the work which must always be done to sustain our national household, but also the work of perfection and expansion. The heat of warfare had forged new tools of production, and under the strain of a supreme national effort new methods and techniques had been developed. So, gradually, the tank brought into harvest fields a new and better tractor, new and useful chemicals flowed out of laboratory test tubes to fill industrial vats, and a multitude of new, better and cheaper products was added to the flow of trade. In the world of trade and business new forms and structures were also gradually emerging. Closer interdependence of all interests, greater corporate integration, more intensive concentration of far-flung financial and investment interests, new methods of marketing, advertising and credit—all these contributed to the changing structure of economic life in the post-war decade.

How important, fundamental and rapid were many of these changes became more apparent later. In day-to-day experience they seemed imperceptible and slow. And as work came to be done from day to day it found

old hands at old machines and tools; but also old hands at new machines with new hands side by side.

Equally imperceptible and slow, but no less penetrating, were the forces of unbalance and disintegration which were spreading through our industrial structure during the post-war decade.

Our economic machine, geared to an expanding economy, continued to operate at an accelerated rate. Yet underlying the very foundations of this activity were fundamental long-term shifts. Disappearance of the geographic frontier, the post-war bankruptcy of the foreign markets, the declining rate in the growth of our population, all combined with other forces to press for basic readjustments in the structure of the American economy. The drive for profit pumped the nation's savings into speculative channels instead of putting them to productive use and thus adding to the purchasing power of the wage earners. Instead of representing the true value of productive concerns, securities were often run up to fantastic prices by well organized stock market pools. In other cases savings were invested in the manufacture of new machinery and new productive equipment whose operation could not be sustained by the lagging purchasing power of the consumers. At the same time new and improved machinery made possible greater production output with the use of fewer hands. At the peak of 1929 prosperity some 2,000,000 workers were already jobless. This added to employment instability, intensified the problem of technological unemployment, and further widened the gap between the rate of business activity and the effective buying power of the consumers.

Under the windfall of speculation in the late 'twenties were hidden these ominously widening fissures which, if visible, would have served as warning signals of the oncoming landslide. But stock market speculation, together with the widespread use of instalment credit and other corporate and fiscal contrivances, concealed these shifts and prevented automatic adjustments. The witches' cauldron of speculation was boiling over, while the unwary public took the foam of the speculator's brew to be tangible wealth. A sobering splash of sudden liquidation in the fall of 1929 quickly sent the fictitious values plunging toward the bottom. Most of the structure of credit, price and wage relationships was carried downward in the collapse.

The need for labor to formulate a constructive national program became pressing and immediate. As the forces of the depression were gathering it became apparent that no practical plan that would effectively stem the surge of unemployment was forthcoming from business and industrial leadership.

The acute and widespread nature of the unemployment problem made me convinced in the very first months of the depression that decisive action through a joint effort of all groups was imperative. Labor could formulate a program but it could not solve the problem alone. Seeing unemployment as a problem which had plagued workers for decades, I knew that it was beyond the power of individuals or groups to provide a realistic solution to the extent that unemployment represented a social as well as an industrial and a monetary problem. It was clear that the hour called for the joint efforts of all organizations and elements concerned with it.

By February 1930, there were 3,700,000 wage earners out of work, according to the Federation's estimate. Our figures showed that those out of work in the first three months of 1930 lost well over $1,000,000,000 in wages because of their idleness. Withdrawal of a billion dollars of effective purchasing power could only enhance the economic unbalance and cause the forces of economic and social disaster to gather momentum.

The study of the problem I made in the spring of 1930 served as a basis of the Federation's first set of proposals regarding depression unemployment. The Federation's program was fourfold. First of all we were face to face with the realization that we had very little direct and first-hand knowledge of the real extent of unemployment and the occupations of the unemployed. Without full knowledge of these facts, of course, no fundamental plans could be framed. We had already secured congressional approval of an unemployment census to be taken in connection with the regular decennial census. I now proposed that this census be repeated at intervals so that we could have before us a continuous over-all picture of total unemployment and part-time employment. I also urged that this periodic information be supplemented by a national clearing house of current unemployment data, such as only a nationwide employment service could provide. This in turn could be supplemented by special unemployment studies necessary to show unemployment trends in individual communities, regions, or industry groups. In addition I stressed the need of assembling the data on a basis which would show the man-hours worked, mak-

ing it possible to reckon part-time employment, as well as changes in productivity of the workers.

My second proposal suggested a set of industrial measures which would further employment stability and make for acceptance of management's responsibility to employees, as well as management's full recognition of workers' equity in their jobs. We could point to progressive industries which had demonstrated the possibilities of regularized production through planning for stabilization. Labor could also point to a number of instances in which workers through unions helped materially to accomplish this end. Such successful efforts of union-management cooperation, a notable example of which was the signed agreement between the railway shopmen and the Baltimore and Ohio Railroad to cooperate in the regularization of production, needed fuller recognition and wider application. Similar methods could be effectively used to find new means of reducing the seasonal factor in unemployment. Development in manufacturing industries, of management policies to enhance economic security by assuring more stable annual income to the workers was another important factor. I also stressed the fact that the work contract placed upon management real responsibility for furnishing continuous employment. Reduction in the hours of work to increase opportunities for employment was emphasized as all-important.

Next I proposed a program of training and retraining for workers displaced by technological changes—who needed counsel and assistance in order to adapt

their abilities to available work without loss of income or lowering of standard of living. I suggested, moreover, that special attention be given to the problem of the older worker and discrimination against him in favor of younger workers. Only too often workers past forty, who had reached the top-notch levels of skill, were denied employment because of age, thereby augmenting the ranks of the unemployed, discarding upon the industrial scrap-heap their superior skill and depriving them of their right to earn income.

My fourth set of proposals offered remedial and preventive measures. Of paramount importance I considered the establishment of a nationwide employment service which would connect workers wanting jobs with proper work opportunities. I believed that an adequate national system of employment services should establish a uniform standard of practices to be followed in local offices throughout the nation. I also stressed the need of union and management representation in the operation of such service to enlist the confidence and to further understanding, approval and acceptance of policies and decisions.

Another important proposal reiterated the plan labor first advanced in the years of high industrial activity in the early 'twenties. Had our political leadership had the foresight to adopt these proposals at the time, it could have done much to curtail the depression and stabilize employment. This was the long-range permanent program of public works which would be expanded to meet periods of depression and curtailed when employment approached normal levels.

Labor's final and most important proposal embodied my plan for a simultaneous shortening of the weekly hours of work in all industries, with the maintenance of the same weekly pay. It was my belief that the curtailment of the weekly work-schedules required of all employers at the same time would make possible the spread in employment without placing inequitable burden on individual employers. Under this plan not only would the increased purchasing power resulting from reemployment more than offset the economic burden of the shorter work-schedule, but new leisure would be created furthering the development of new wants and substantially increasing the standard of living of all wage earners.

I presented the first outline of this program to the Senate Committee on Commerce which held hearings in April 1930. It was also discussed at the White House Conference on Unemployment convened by President Hoover in the same year and composed of representatives of industry, of railroads and of labor. At this conference which I attended with twelve other representatives of labor, no specific measures were agreed upon and no coordinated program of action was adopted. An agreement was reached in which the employers stated, each on his own behalf, that they would not initiate any movement for wage reduction and that they strongly recommended that this attitude be pursued by all employers throughout the country. At the same time labor spokesmen stated as their individual view that no movements beyond those already in negotiation should be initiated for wage increases and that every

cooperation should be given by labor to industry in the handling of its problems.

This definite repudiation of wage cuts as the method of meeting business depression seemed to me to be a constructive achievement. It indicated a definite attempt to maintain wage standards and to prevent the foundations of buying power from being completely undermined. It also seemed proper for labor organizations to pledge their cooperation in the national effort by not raising issues that might interrupt any attempt to turn the tide. It was an impressive demonstration of union labor's appreciation of the mutual dependence between labor's interests and the interests of industry and society. Strategic as was this agreement against wage cuts, it failed to provide a constructive program and offered no means of preventing widespread suffering from dismissals, layoffs, and part-time work. Before many months management yielded to downward pressure and, following the lead of the steel industry, put widespread wage cuts into effect.

The 1930 Convention of the American Federation of Labor, which met in Boston in October of that year, considered rising unemployment as its central problem. Our unemployment program, restudied and refined at the August meeting of the Executive Council, placed even greater emphasis on reduction of the hours of work. Following a thorough discussion of this program, the Boston Convention recommended that President Hoover be asked to appoint immediately a national committee to give our practical program a final formulation. We thus sought to establish machin-

ery to fight unemployment and to carry out a nationwide, coordinated program of relief undertaken by public as well as private agencies. Similar committees to be established in each state and in each community were to cooperate with the national committee and to initiate programs necessary to meet the special problems in each locality. This proposal was never realized.

As no concerted action to cope with the problem of unemployment was under consideration, I repeatedly urged President Hoover to call a national economic conference which could help find a way forward and could make possible the formulation of a national program bearing joint approval of all groups concerned, as a step toward planning on a national scale. While this call went unheeded unemployment continued to rise. From 1930 to 1931 unemployment rose from 4,770,000 to 8,738,000, throwing 4,000,000 men and women workers out of employment, dependent upon the uncertainties of charity and relief. By March 1933 unemployment reached its all-time peak of 15,653,000. Counting all the workers and those dependent on them, more than 60,000,000 persons were dragged into poverty, uncertainty and despair by the depression—one-half of our entire population. In millions of homes, in cities, towns and villages, on mountain slopes and in valleys, men, women and children were helplessly living out the blight of unemployment, not knowing what the future would bring. Skills for work were lost and even the desire to work. Families, overburdened with debts and facing slow starvation, were losing their grip

on self-reliance and driven into dependency. The major portion of American people was shorn of opportunity to live constructively and to contribute in a creative way to our national life.

An income deficit representing income losses caused by the unemployment of men and machines was mounting from year to year. This depression income loss has been placed at two hundred billion dollars. This figure, well-nigh impossible to comprehend, represents sheer waste of our manpower, equipment and other productive resources, resources which we permitted to stand idle and deteriorate in the face of mounting want. To permit this national deterioration in the face of the vast wealth of resources in our industries and on our farms seemed to me sheer stupidity. I felt sure that as a nation we were capable of overcoming the inertia; that if we redirected our energies, began to plan, and undertook the work of reconstruction in earnest, we could restore sanity and balance to our economic life. And I had an even deeper conviction that as a democracy we would find effective means of translating our majority will into action.

In November 1932, the American Federation of Labor was holding its annual convention in Cincinnati. It was there that I appealed to the delegates of our labor movement to take a decisive step in bringing out a proposal to establish a compulsory five-day work-week and six-hour work-day by statute. I put the issue squarely to the Convention: either industry is to be completely dismantled and wiped out or adjustments must be made. The way must be found, and to accomplish this a compulsory maximum work-week must be

established by legislation. The Convention unanimously adopted the resolution instructing our Executive Council to formulate such legislation. Thus the drive for the thirty-hour week bill was begun on the floor of the American Federation of Labor Convention.

Under the mandate from the organized labor movement of the United States, I submitted to the next Congress the thirty-hour week plan as a proposal basic for economic recovery in our changing industrial economy. This proposal for a mandatory maximum work-week served as a point of origin for recovery legislation. The thirty-hour week bill had already passed the Senate in the spring of 1933 when a legislative compromise was worked out and embodied in a substitute measure combining our proposals with the program framed by the Roosevelt administration. That measure was the National Industrial Recovery Act.

Under the NRA which went into effect on June 16, 1933, labor was given no direct participation in the formulation of minimum wage and maximum hour standards. Although the codes finally adopted for each industry did represent to a degree the give and take of collective bargaining between representatives of labor and management, they allowed innumerable loopholes for various averaging, "tolerance," and differential provisions which mitigated much of the intended effect. Even so, under the initial reemployment agreements promulgated under the NRA and under the subsequent codes, a vast program of planned reemployment was achieved. Sufficient test of the effectiveness of the program was the nationwide survey of the post-NRA developments conducted by the American

Federation of Labor during the months following the invalidation of the statute. This survey revealed that as a direct result of the abandonment of maximum hours, more than 1,800,000 workers were again deprived of their jobs.

As soon as the regulation of minimum labor standards was terminated with the invalidation of the NRA by the Supreme Court, I sought the advice of experts in search of new legal forms for a minimum wage and maximum hour regulation whose constitutionality would be fully sustained in the courts. While we continued to press for the thirty-hour week bill, a number of drafts of other regulatory legislation came up for consideration. Out of a considerable variety of proposals combining the requirements to maintain minimum wage and maximum hour standards finally emerged the framework of legislative principles to be embodied in a wage and hour law. A draft generally similar to our proposal but differing from it in many vital details was handed by the Administration to Senator Black and Congressman Connery, the original sponsors of the thirty-hour week bill, as the basis of the Fair Labor Standards Act. This bill had several important shortcomings largely the result of faulty draftsmanship by men without practical experience, and of the Administration's failure to consult labor in working out some of the basic details of this important measure. There ensued an uncompromising fight for the adoption of a new minimum wage and maximum hour statute in which the American Federation of Labor had to counteract the opposition of reactionary employer groups as well as to seek modification of the

undesirable or unworkable proposals advocated by the authors of the Administration draft. The unyielding stand taken by the American Federation of Labor was mainly responsible for the successful passage of an acceptable bill which became the Fair Labor Standards Act of 1938. Our refusal to surrender the basic standards prevented the bill from foundering in the cross-current of deft parliamentary maneuvers by the opponents of the bill and of defeatist statements by CIO spokesmen who were willing to compromise the most essential provisions of this legislation.

The new law was based on the principle of a gradual reduction of weekly hours of work and gradual increase in the minimum wage standards, effecting the total readjustment over a period of years. Applying only to employers engaged in interstate commerce or in the production of goods for commerce, it offered the protection of minimum standards to some 11,000,000 workers at the time of its initiation. Conscious of the limitations of this federal program, labor sought to extend the application of the minimum wage and maximum hour principles to intrastate employment through state-wide wage and hour laws, several of which have been enacted by state legislatures.

By October 1939 the Fair Labor Standards Act had been in operation for a year. Although vast expenditures of public funds had been made for work relief, public works and a number of other remedial programs, nearly 10,000,000 workers still remained without private employment. It is true, provisions had been made to provide relief work or some measure of public assistance to most of the people in need. During the fall

of 1939, as the lines of normal economic adjustments were being wiped off the slate by demands for war materials and implements of warfare, a measure of reemployment was being achieved in the least rational way.

In the fall of 1939 it was clear that no matter how great the extent of reemployment would be as the result of the wartime boom, the subsequent readjustments would make the problem of full employment and job security more acute than ever before. Neither the speculative production for inventories rather than for sale, which is inevitably created by anticipation of rising prices, nor the output of war materials was contributing to a sustained and balanced recovery. Clearly these developments were only adding new maladjustments to an economy which was already suffering from serious dislocation. The foremost problem was to find new techniques capable of correcting the basic faults underlying the structure of our economic activity.

Unlike the days ten years ago when the shadows of the economic crisis were creeping over the country, America stood in full realization of a far-reaching transition which her whole economy and the very life and work of her people were undergoing. Wealthy in her vast resources, great in the attainments of her people's genius, America was also a nation of great want at the time of stock taking in 1939. For it was a nation 87 per cent of whose families had incomes of $2,500 a year or less and 82 per cent of whose families—the overwhelming majority of all—were dependent on an income of $2,000 or less to sustain an entire family through the year. More than a third of American

people were living in substandard homes, were inadequately fed and poorly clothed.

These facts and the new studies that confirmed them deepened my conviction that there was before us a great but little explored frontier within the boundaries of our own continent and our own nation. To make effective the economic wants of forty million men, women and children held down by a combination of economic forces to a state of impoverished subsistence, to make available to them enough food and clothing, to house them in good homes and to bring them to at least the minimum standard of decent living, would make possible new and sustained expansion with full employment and full use of our economic resources during years to come. That this could be achieved through the expansion of incomes and therefore of the purchasing power of those workers for whom even the minimum standard of decent living was out of reach, I had no doubt. In the search for new frontiers and new markets for productive expansion, we had overlooked one which was closest at hand and one which gave us best assurance of rehabilitation—America's labor frontier.

The hands of American workmen, deft in their work and skilled in their performance, have reared the structure that is America as we know it today. They have built our homes, erected our skyscrapers, constructed our workshops, fashioned our equipment and assembled our machines. They have supplied us with materials for our daily existence and provided services for our needs. By depriving the men and women doing

this work of their equitable share of returns on production we have caused their hands to become idle and stopped production itself.

To achieve a revision in our economic relationships and to provide a basis for a realistic program by democratic means, we could no longer rely upon a free interplay of unbridled economic forces. It became necessary to supplement these forces as well as limit them by a measure of public intervention representing the whole nation and clearly sanctioned by the will of the majority. Within the framework of relationship among labor, management and ownership, guidance in work has rested with management but managerial control has extended far beyond. With the financial structure of corporations controlling in a large measure the flow of money and credit, with the ownership of patents, inventions and scientific research controlling the very logic of technology, increasing responsibility for the operation of our economic instrumentalities has accumulated at points of control which labor cannot reach by collective bargaining alone.

This condition has brought back to my mind the gaunt figure of the striking Ohio miner standing by his shack with his family huddled around him watching trainload after trainload of non-union West Virginia coal rolling by, coal dug up by his underpaid brothers and now moving to break his bargaining strength and theirs. It brought back to me the silent despair, the helplessness, the humility in the pleading eyes of miners' wives, their hollow faces under thread-

bare shawls outlined against the wicket cage of the pay window where they stood every pay day waiting for contributions from meager pay envelopes of those still working, contributions needed to sustain the existence of the injured and disabled husbands and of their children. Just as I realized then that compensation for the injury and loss of earning power was the responsibility of the whole community, so I knew now that the remedy for insecurity of unemployment of millions of our people was the joint responsibility of all groups.

As a member of the President's Committee on Economic Security in 1934, I was able to give practical realization to this conviction in my contribution toward the development of a national program of security through unemployment compensation, old-age benefits and public assistance for maternal and child welfare. I have advocated and pleaded for the extension of this program of public assistance into the field of medical care in the form of a national health insurance plan. I have fought for the adoption of a low-rent housing and slum-clearance program, the program embodied in the United States Housing Act. Again and again, I appealed for support of a long-range program of permanent public works which would provide public channels for private investment funds in periods of depression and thus provide useful public employment through private means for building mechanics and laborers in the periods in which construction activity lags. Above all, I spared no effort in urging a joint cooperative endeavor on the part of all representative

groups to plan for the future, analyze trends and conditions and devise methods for bringing a new and more equitable balance in our economic relationships.

The events of the past ten years revealed the compelling logic of this view. They showed that when private enterprise cannot adjust itself to new conditions, it fails to serve the public need, places public welfare in jeopardy and becomes a deterrent force. It is then that the government must respond, assuming such measure of regulation in industry and in private enterprise as will bring the economic processes to the point where society is adequately served and protected. The experience of these years showed that the very disaster of the crisis compelled the government to assume responsibilities and discharge functions within the field of private endeavor which had been regarded as outside its scope.

The national government, acting in behalf of all people, was compelled to care for the needy and unemployed. Neither private agencies nor local communities nor the states could cope with the rising need. As the burden became too heavy for them, they failed to relieve privation and want. Thus the federal government had to meet the threat of starvation and ultimate disaster.

When those who owned and managed the financial institutions of the nation proved helpless in their efforts to overcome a national emergency and our banks were closed, the government again had to intervene. Here also the government had to take over functions which had been regarded as the inviolate prerogative

of privately owned banks. Through the Reconstruction Finance Corporation, the Home Owners' Loan Corporation and other federal agencies, loans were made to corporations, businessmen, home owners, farmers and to the transportation systems of the nation.

In some fields indications of need for further intervention became apparent. Thus in order to maintain the operation of our railroads the government supplied them with large sums of money. This was necessary in order to save them from complete financial ruin. And yet it could not be expected that these loans would ever be repaid to the government. When the point is reached where it becomes clear that the public equity in the railroads can only be protected and conserved by making the whole railroad system a public property, the government will be compelled to take them over. This gave weight to my conviction, shared by the railroad workers of the country, that government ownership of railroads is desirable and inevitable.

In all these fields, not choice but necessity compelled the government, responsible to the whole nation, to intervene. For, the very trend of events which brought our public agencies into a broader participation in the affairs of private enterprise, to meet the social needs of modern life where private endeavor had failed, was reflecting a real demand on the part of the people for service, safety and protection.

Keenly aware of this need for social acceptance of responsibility for such public controls and remedies, I never lost sight of the fact that the success or failure of such public effort depended upon the degree of recog-

nition of labor's basic rights within the industrial framework of our democracy.

I became firmly convinced that the possibility of resolving our economic problem in a democratic way depends above everything else upon the operation of the voluntary process of collective bargaining between labor and management. Full acceptance of the basic right of workers to bargain collectively through representatives freely chosen by them, and unrestricted exercise of this right, is our chief avenue of approach to solution of the problem which now plagues labor and industry alike.

Growing appreciation of society's need to give full recognition to the workers' right to self-organization and collective bargaining has accompanied our industrial development. It is important to remember, however, that the rise of a national labor movement in America took place in a period in which insidious and deadly legal and judicial devices were put to use by special interests to curtail and annihilate the development of the democratic process in our industrial scene. Such basic elements of democracy as freedom of speech, freedom of assembly, the right to petition, and majority rule, were constantly emasculated or perverted by use of the injunction, by intolerant judicial decree and by misapplication of statutory law. This was taking place at the time when the blacklist, the "yellow dog" contract, the company union, and every other conceivable method of coercion was being put to use by employers to deny the workers their right of free action and to spread fear among them.

It will be recalled in this connection that to further equal balance of opportunity among all, to protect the laborer, the small businessman, and the consumer from the dangers of giant monopolies of capital, the Sherman Antitrust law was enacted in 1890. In the debates leading to the passage of that law one will find that the statute was not intended to restrict and harass the laborers and consumers whom it was designed to protect. But the law was quickly perverted to a purpose alien to its framers and by 1908 the courts held in the Danbury Hatters case that its legal restrictions applied to labor as well as to capital and thus limited the workers' right of self-organization and united action for mutual protection.

The Danbury Hatters decision, which had the effect of turning against the worker and the consumer the very legislation which was enacted for their benefit, was followed by other rulings of the Supreme Court which swept aside the attempt of Congress and of the states to implement the workers' rights by statutory enactments. In Adair *vs.* United States, decided in 1907 over the dissents of Justices Holmes and McKenna, and in Coppage *vs.* Kansas, in which dissents were made by Justices Holmes, Day, and the then Associate Justice Hughes, the Supreme Court declared unconstitutional statutes which made it a crime to discharge men for union membership.

These decisions and a series of similar pronouncements finally paved the way for the congressional declaration written in the Clayton Act of 1914 that labor organizations must be allowed to pursue their lawful

and legitimate objectives and that no court injunction should be issued in a dispute between employers and employees except when necessary to prevent irreparable injury. This clear statement of congressional intent and public purpose was soon to be submerged, however, in the adverse flood of judicial decisions reaching a high-water mark in the Bedford Stone Cutters Case decided in 1927. But if these decisions were largely the shadow of the deep social and economic developments of the day, even more so were the ringing dissents of Justices Holmes, Brandeis, and others, whose greater vision, keener perception of economic realities, and deeper insight into the essence of a living democracy enabled them to plot long in advance the course of the future labor law.

The courts could no longer disregard the widening acceptance of labor's basic rights by Congress and by administrative agencies. The experience of the National War Labor Board, appointed by President Wilson, with William Howard Taft and Frank D. Walsh as joint chairmen, offered a solid proving ground from which the elements of future labor legislation emerged. The Railway Labor Acts of 1920 and 1926 inscribed further guarantees of freedom of self-organization upon the statute books. In a crucial Texas and New Orleans decision handed down in 1930 by Chief Justice Hughes for a unanimous Court, the power of Congress to guarantee freedom of organization, to prohibit the company-dominated union, and to prevent employers from requiring membership or nonmembership in any union was fully upheld by the Supreme Court. In that decision the Court said:

"The legality of collective action on the part of employees in order to safeguard their proper interests is not to be disputed. It has long been recognized that employees are entitled to organize for the purpose of securing the redress of grievances and to promote agreements with employers relating to rates of pay and conditions of work. . . . Congress was not required to ignore this right of the employees but could safeguard it and seek to make their appropriate collective action an instrument of peace rather than of strike. Such collective action would be a mockery if representation were made futile by interference with freedom of choice. . . ."

Against this background of judicial decision labor was making headway in its fight toward an outright prohibition of such devices as the "yellow dog" contract in state legislatures and in Congress. By the close of 1931 five states, led by Wisconsin, had declared such contracts unlawful. When the Seventy-second Congress met in Washington on December 7, 1931, the officers of the American Federation of Labor strongly urged that the Norris-LaGuardia Anti-Injunction law be given prompt and prior consideration. This statute was adopted by an overwhelming vote of both houses and given executive approval on March 23, 1932. This act not only definitely outlawed the reprehensible device of the "yellow dog" contract, it also prohibited the federal courts from issuing injunctions in cases involving or growing out of labor disputes, and placed upon statutory record a sweeping declaration of public policy according labor organizations a form of legal standing and legal recognition which prevented misunderstanding or misapplication by the courts of labor's fundamentals.

The broad declaration of policy of the Norris-La-Guardia Act gave status to the plain truth that neither government nor industry can confer upon the worker all economic benefits to which he is entitled and that the real instrumentality which the worker must utilize in order to promote his economic welfare is his trade union. It was clear, however, that no enunciation of principle, no matter how solemn, can be translated into practice until the rules of its application are prescribed. Realizing this, we prevailed upon the Administration and upon Congress to write into the National Industrial Recovery Act of 1933 a provision designed to safeguard the rights of self-organization and collective bargaining, which became Section 7(a) of that Act. This section was to be included in every code of fair competition promulgated by various industries. Section 7(a) proclaimed:

"Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives, or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

"No employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing or assisting a labor organization of his own choosing."

When Congress enacted this provision, for the first time guaranteeing to the workers generally by federal statute the right to organize and bargain collectively free from employers' interference, millions of workers throughout the nation stood up for the first time in their

lives to receive their charter of industrial freedom. Everywhere, in great industrial centers, in mining camps and mill villages, in offices and in shops, men and women who worked were joining the ranks of our labor movement to put in practice and give meaning to the rights Congress had just proclaimed to be theirs.

This swift surge of unionization was variously received by employers in different industries. In some fields nationally represented employer groups showed willingness to accept the workers' right to self-organization and even cooperated in advising local and national machinery for the peaceful adjustment of industrial disputes. Others, notably steel, automobile, and chemical industries, were determined to fight the application of Section 7(a) from the outset and even attempted to modify its language in their industry code by urging the insertion of the so-called "merit clause," or by adding language which would make the organization of company unions possible. As these conflicts grew sharper, labor disputes arising out of the application of Section 7(a) began to increase.

To safeguard the national recovery program, the President created a National Labor Board as an agency for conciliation, adjustment, and voluntary arbitration arising from the application of the principles of Section 7(a) under the President's blanket reemployment agreement and the basic industrial codes. The first National Labor Board was headed by Senator Robert F. Wagner, author of the Recovery Act, as an impartial chairman and was composed of equal representatives of labor and of industry.

I was asked to serve on the board from the begin-

ning and took active part in the hearing, determination and settlement of many industrial controversies. Time and time again we were presented with cases in which conflicts were sharply defined and the issues seemed to be irreconcilable. But the give and take of an around-the-table discussion, the man-to-man exchange of views and a joint analysis of the problem, brought about understanding on which a basis of adjustment could be established. To me it was profoundly significant that the National Labor Board was not only successful in transferring the issues of industrial strife to a conference room where they could be resolved, but was also able to provide the antagonists in each dispute with better knowledge of the mutual problem, broader understanding of conditions, and a larger measure of recognition of mutual responsibilities as well as mutual obligations of labor and management. In the smoke-filled meeting rooms of the board on the seventh floor of the Commerce Building in Washington heated arguments, often lasting far into the night, almost invariably resolved themselves into solid agreements. From these meetings I carried away a profound awareness that in this workshop were being shaped new forms of social, economic and human relationships which in time would serve as a foundation for industrial peace and sounder economic stability.

Among the employers whose cases were heard by the Labor Board were men like Ernest T. Weir of the Weirton Steel Company who met labor with everything to take and nothing to give. These men were determined from the outset to prevent at all costs any and all forms of the workers' exercise of their rights. Their

decisions were made and their minds were made up not to yield an inch of power or privilege to which they clung. It was interesting and significant that there were relatively few employers with practical direct experience in management who were so recalcitrant and unbending. For it was not so much the employers themselves but trade associations, and groups manned by retainers who assumed the prerogative to speak for whole industries, that were responsible for the formulation of a program calculated to nullify and evade the new law.

Among the devices fostered by these men to prevent self-organization of employees was the company union of the so-called "employee representation plan." These company unions instigated by the employers and organized and conducted by them to combat and displace free labor unions were proffered to workers in plant after plant as a substitute for unionism soon after the Recovery Act was signed. The plan itself was not new nor was it native to this country. In its fully developed form, the company union appeared in Germany in the late 'nineties under the sponsorship of anti-union employers and was quickly branded "the yellow trade union." During the post-war years, powerful German employers, especially in the steel industry, directed a renewed drive upon the trade union organizations by reviving company unions in the larger plants and by means of this device drove a sharp and poisonous wedge into the ranks of the German trade union movement already weakened by the years of war and the subsequent unemployment and destitution among the wage earners. When the present Nazi régime came into

power, the unity of the German labor movement was all the more easily broken and for the present undemocratic government of Germany complete destruction of trade unionism proved to be an easy task.

As I have already noted, in the United States the company union first became significant at the end of the world war. It came as a more subtle substitute for the open shop movement and a number of large single corporations in industries of a monopolistic character succeeded in building up company union organizations. Soon the initiative of the company union drive was taken over by the Conference Committee made up of management representatives of highly capitalized corporations who realized that the dogged resistance by the workers to this imposition upon their freedom of action could be fought only if the employers join hands in furthering the anti-union campaign. In the summer of 1933 this drive was renewed and redirected to stem the new tide of unionization especially in the great mass-production industries such as steel, automobiles, rubber and chemicals. These "employee representation plans" offered the workers no real representation and no mechanism for genuine collective bargaining. They were all the creatures of the employer designed to confuse, mislead and defraud the workers of their legal rights.

When the NRA first went into effect the employers seemed to believe that the government meant what it said in Section 7(a) which was embodied in the President's reemployment agreement and in all codes. By the fall of 1933 employers who had been fearful of violating 7(a) began to get bold enough to disregard

its requirements. They not only fostered and promoted employee representation plans in the big industries, but also initiated a concerted campaign of discrimination and coercion directed against active unionists. In plant after plant discriminatory discharges and countless other coercive tactics were put to use in order to break the spirit of workers and to convince them that despite 7(a) they must choose between the union and their jobs. When an employer is determined to evade the law he can find ample excuses for doing so. An infringement of company rules and regulations which might ordinarily be overlooked can immediately become cause for discharge, where interest in the union has arisen. Work which for years has been wholly satisfactory may suddenly become defective when the worker becomes involved in the formation of a bona fide labor union.

In addition to this, employers sought to demonstrate to the workers that collective bargaining can be rendered fruitless. Without refusing to deal with the union they met again and again with union representatives with no honest intention of ever reaching an agreement. Not only was this done by individual managements, but frequently a concerted undertaking was agreed upon by employers throughout an entire locality or an entire industry. In this employers were often assisted by local Chambers of Commerce and other employers' associations. These developments were accompanied by a campaign of propaganda designed to mislead the workers into belief that their labor movement was in reality opposed to their own interests. The steel industry and the automobile industry flooded their

employees with pamphlets, leaflets and speeches containing false and libellous attacks on the American Federation of Labor.

The combined effect of these attacks was to spread a great fear among the workers, especially in the industries where organization of workers and unions was unknown. Years of depression had wiped out economic independence and intensified the fear of insecurity. Workers became afraid to use their legal rights when shelter and bread were in jeopardy. The National Labor Board not being established by statute had no effective means of enforcement within its reach. In their bitterness workers began to realize that the promise of industrial freedom they believed was offered them by 7(a) was but an empty promise. It took courage in those days to join the union even though the right to do so had legal sanction. Yet so desperate was the worker's need and so great his desire for help that he often overcame the fear and did join the union, still believing that in the end the government would fulfil its solemn promise and give him the needed protection.

Senator Wagner, the chairman of the National Labor Board, under whose direction eighteen regional labor boards were by now in operation, was one of the first to realize that his agency had not sufficient power to make effective the new law. He therefore introduced in the Senate a Labor Disputes Bill which proposed to outlaw company unions as agencies for collective bargaining, to give the National Labor Board statutory powers to hold elections and to enforce its orders. This bill was not approved, and in its place the Seventy-third

Congress passed Joint Resolution No. 44 creating a National Labor Relations Board to supersede the old National Labor Board. This new agency, headed by Lloyd Garrison, dean of the University of Wisconsin Law School, was given somewhat more specific powers and was authorized to conduct elections to determine questions of representation. This first National Labor Relations Board was still lacking in effective enforcement powers, but under the able chairmanship of Lloyd Garrison it was able to define the principles implied in Section 7(a) and to lay groundwork for further enforcement of labor's basic rights. These interpretations of Section 7(a) established several basic principles: (1) The right of employees to bargain collectively imposes a corresponding duty upon employers. The employer is obligated by law to negotiate in good faith. (2) Employees may select any person or organization to represent them and such representatives are to be in no way restricted to fellow employees. (3) The desirability of reducing agreements to writing, as a matter of good labor relations and sound business policy. (4) Representatives selected by the majority of the employees in a bargaining unit are the sole agency for collective bargaining in that unit.

The right of majority representation and the obligation imposed upon employers to enter into negotiations in good faith were clearly set forth in the decision written by Chairman Garrison in the case of the Houde Engineering Corporation which was handed down on August 30, 1934. In this decision the Board said:

"This Board, therefore, stands upon the majority rule. And it does so the more willingly because the rule is in

accord with the American traditions of political democracy, which empower representatives elected by the majority of the voters to speak for all the people.

"When a person, committee or organization has been designated by the majority of employees in a plant or other appropriate unit for collective bargaining, it is the right of the representatives so designated to be treated by the employer as the exclusive collective bargaining agency for all employees in the unit, and the employer's duty to make every reasonable effort, when requested, to arrive with this representative at a collective agreement covering terms of employment of all such employees."

The legal principles established by the Board and the results obtained through the elections held by it indicated the potentialities of such an agency. But with them the Board's work brought forth increasing evidence of its inability to enforce compliance with its rulings and its lack of adequate statutory powers. Out of the insistent need to implement labor's basic rights with an effective administrative and enforcement machinery grew the demand for more comprehensive permanent legislation.

Under the leadership of the American Federation of Labor, a nationwide campaign was initiated leading to the enactment of the National Labor Relations Act, sponsored by Senator Wagner, which became law on July 5, 1935. The new Board created under this Act was empowered to prevent the unfair labor practices defined in the Act. These included interference with, restraint or coercion of employees in self-organization and collective bargaining; domination or interference with the formation or administration of any labor organization; discrimination because of union member-

ship; and the refusal to bargain collectively. The Act also gave statutory sanction to the union shop, established a procedure for certification of representatives, and gave the Board powers to subpoena witnesses and evidence as well as to prevent unfair labor practices by issuing cease and desist orders enforceable in the courts.

For nearly two years the new Board was seriously handicapped by the defiance of its provisions on the part of a recalcitrant minority of employers. The records of Senator La Follette's committee investigating violations of civil liberties were replete with proved evidence of the operations of a powerful and widespread network of spies, stool-pigeons, agents-provocateurs, armed guards and plain gangsters retained by these employers at handsome salaries to break the unions and contravene the law. These unremitting attempts to resist labor's rights, in which some employers went to incredible lengths, gradually led to a final test of the validity of the Act in the Supreme Court. In five epoch-making decisions handed down by the Supreme Court on April 12, 1937, the constitutionality of the Act was upheld and the basic principles of the law were affirmed. Thus labor achieved its great victory in securing the approval of the highest court of the basic rights which it had sought to establish in law over many years.

In the past ten years the labor movement has succeeded in overcoming seemingly insuperable obstacles without losing sight of its objective and without surrendering its ideals. Depression, unemployment, uncertainty and insecurity of the past ten years undermined much of workers' unity and sapped much of labor's

strength. Compelled to rely upon the makeshifts of relief instead of their real earning strength, the workers' economic power was drastically reduced. Persecuted and driven into submission by the persistent denial of their rights and the widespread fear of discrimination, workers were only too often prevented from active participation in the labor movement and from giving it full effect. In these struggles we succeeded in preserving the integrity of the movement itself and in establishing new and broad foundations upon which to build a stronger and a more solid movement along the lines of industrial democracy recognized by all. With the aid of public devices such as the NRA, the National Labor Relations Act, and the Wage and Hour Law, the inequality in the bargaining power underlying the economic relationships between labor and management was to some extent overcome.

It was long before the major obstacles to self-organization were removed that the American Federation of Labor succeeded in overcoming the falsehood planted in the minds of a large mass of workers and in removing the fear from their hearts. Long before the protection of the National Labor Relations Act became available, strong union organization was being shaped in the industries in which the masses of workers had remained unorganized. American Federation of Labor unions were rising in the automobile, rubber, steel, and other mass-production industries.

The shaping of these new unions was no accident. In the summer of 1933 I carefully formulated detailed plans for a nationwide organizing campaign designed

to reach workers especially in industries and occupations in which there was little or no organization. The executive council of the Federation gave its wholehearted approval to the organizing plan, new organizers were recruited and funds were appropriated to launch the drive. At the same time every National and International Union affiliated with the Federation taxed its resources to the limit to make possible the expansion in union ranks.

To perfect the organizing work, our convention held in Washington in October 1933 authorized the executive council to call a conference of the representatives of all National and International Unions to give special consideration to the question of organizing the unorganized, particularly those employed in the mass-production industries.

This conference met in Washington in January 1934 devoting two full days to the formulation and perfection of plans. A report was drawn giving the Federation the fullest possible latitude in granting charters directly to new unions and urging that wherever any infraction of the rights or jurisdictions of unions might occur such difficulties be adjusted so as to take full advantage of the immediate situation with the ultimate recognition of the valid rights of all concerned. A series of conferences was planned to review the progress made and to work out future methods. General, special and volunteer organizers were allocated to strategic centers. Mass meetings of wage earners were held throughout the land. We used the press and the radio to the fullest possible extent.

At the very outset of the 1933 campaign, I placed the facilities of the American Federation of Labor at the disposal of the United Textile Workers of America to renew the drive for unionization in the textile industry, especially in the South, where labor standards were extremely low and working conditions, under the "stretchout" system, were often intolerable. In a short time a great mass of textile workers in mill villages and textile towns was seeking the protection of free unions.

When full assistance was made available by the Federation the Amalgamated Association of Iron and Steel Workers promptly initiated an organizing drive in that fortress of anti-unionism, the steel industry. Before the giant steel corporations got under way their costly campaign of company unionism, discrimination and intimidation to annihilate the rapidly growing new unions, 156,000 steel workers had joined labor's ranks. It took the vast resources of the whole steel industry and every known device of industrial warfare, open as well as secret, to blight the new spirit of freedom among the workers, to paralyze their will to self-government and to halt the tide.

In the rubber industry the organizing campaign was conducted by the American Federation of Labor directly. In the Akron district where the industry was centralized, there were not more than 2,500 organized workers in the spring of 1933. Within one year there were 70,000 union members in this district, the vast majority of whom were rubber workers. By that time there were seventy unions with large locals in the Goodyear, Goodrich and Firestone plants. In many plants, signed agreements were put into effect for the first time,

offering better wages and improved conditions to the rubber workers. Between March 1933 and June 1936, wages of workers in the rubber-products industry were raised from 43 cents an hour to 71 cents an hour, or 66 per cent, as the result of the American Federation of Labor campaign. In rubber tire and tube manufacturing the Federation was mainly responsible for raising wage rates from 59 cents an hour to 89 cents an hour during the same period—the largest increase in this industry achieved to date. Under a plan I recommended, nationwide councils were formed to unite and coordinate the efforts of individual unions in these new fields. A national council of rubber workers was formed by the American Federation of Labor unions in Akron, in June of 1934. The formation of this council was an important step toward a strong industry-wide organization and it led to the formation of a Rubber Workers International Union which was accomplished in September 1935.

A similar campaign was launched by the Federation in the automobile industry. In this industry, which was first to introduce mass-production methods with its semi-automatic and automatic machinery, its continuous production line, and the speed-up system, special problems of organization had to be met. In 1933, automobile workers were in great need of union protection to eliminate the well-nigh inhuman employment conditions under which they had to work. In many plants the constantly accelerated speed-up system was taxing the physical and mental strength of working men and women beyond the point of all endurance. But this in itself raised unusual problems of organization. Employ-

ment of automobile workers was highly irregular, governed by wide seasonal fluctuations peculiar to the industry as the result of ill-planned production schedules and short-sighted marketing policies. Thrown between periods of intensive activity and long stretches of unemployment, the workers were constantly ruled by the sense of insecurity and uncertainty which conditioned their entire outlook. Inexperienced in the trade union movement, their minds obsessed with this fear of joblessness, these workers became easy victims of distrust and suspicion toward unions, which the automobile manufacturers were tirelessly spreading in their midst. During this period from 1933 to 1935 one of the strongest company union drives was relentlessly carried on by the automobile manufacturers who had no intention of complying with Section 7(a). In fact they even went so far as to attempt to persuade the President of the United States to modify the rights established by this section in its application to the automobile industry.

Despite this determined opposition of the employers and the newness of the unions, very real progress was made in the automobile manufacturing plants and the automobile parts plants in organization and collective bargaining. More than 65,000 workers who had the courage to join the unions in the face of coercion and threats bore witness to the indomitable spirit of these workers and their faith in the rightness of the union cause. Even the creation of a federal Automobile Labor Board dominated by automobile manufacturers, which consistently strove to further company union policies, failed to break the progress of unionization and the

development of collective bargaining as well as the consummation of union agreements in many plants. By August 1935 the auto workers were ready to consolidate their gains, and the American Federation of Labor granted the 183 local unions an international charter establishing a new industrial union under the name of United Automobile Workers of America.

In the lumber and sawmill industry the Federation also conducted a direct campaign of organization. On July 1, 1933, there were four lumber workers' unions in the United States and Canada. At the end of the first twelve months of the organizing campaign the Federation had over 130 unions in twenty-one states and in Canada with additional unions being rapidly formed. Here too, in addition to the common obstacles of union discrimination and intimidation, labor had to surmount another barrier in the form of an old strongly entrenched company union which had been persistently promoted by employers on the Pacific coast under the name of the Loyal Legion of Lumbermen and Loggers, generally known as the "4-L's." The undisputed financial assistance given to the "4-L's" by the producers, the political background of the "4-L's" leadership, the moral support of the Lumber Code Authority and other phases peculiar to the situation made it difficult for the lumber workers to shake off the grip of company union control. But our aggressive campaign succeeded in overcoming the employer domination and resistance so that by 1935 more than 90,000 lumber workers were organized in this industry under the Federation's leadership.

In the aluminum industry, largely dominated by a

single monopoly, we succeeded in forming strong unions in Pennsylvania, Tennessee, North Carolina, Illinois, Wisconsin, Ohio, New York, Connecticut and West Virginia. The activities of individual unions were soon integrated in the Aluminum Workers Council which was formed in July 1934. A successful strike conducted in the plants of the Aluminum Company of America in 1935 resulted in an agreement negotiated by our unions with this giant concern.

In another monopolistic industry, Portland cement manufacturing, we organized thirty local unions by the summer of 1934 providing a solid foundation for collective bargaining in this industry also. A steady growth of our cement workers' unions during the succeeding years resulted in a solid union organization covering 85 per cent of the industry by 1939, with the majority of the plants under union agreements. It was in St. Louis in August of that year that I granted on behalf of the Federation a charter to our new United Cement, Lime and Gypsum Workers International Union.

In the flour-milling and cereal-preparations industry a determined drive was also launched in 1933. After two years of persistent struggle for recognition by the major flour and cereal producers, the Federation succeeded not only in establishing a strong organization but also in negotiating nationwide union agreements with such leading concerns as General Mills and Pillsbury and a large number of other firms.

New unions were established on an industry-wide basis in many fields. Thus the low-paid workers in the cleaning and dyeing plants formed a strong organization during this period which led to the establishment

of the International Association of Cleaning and Dye House Workers in 1937. Among the gasoline station attendants, we were successful in forming unions and negotiating agreements from coast to coast. A national council of unions formed in this industry as in other fields helped to disestablish powerful company unions maintained by major oil companies and to effect complete unionization of filling station attendants in a number of large cities.

Similar organizing methods were successfully carried out and councils were formed among chemical workers, match workers, and in many other fields consolidating the gains made and providing improved machinery for further progress. Between 1933 and 1935 strong unions were growing among gas and by-product coke workers, radio workers, in the toy-manufacturing industry, in the button industry, in the salt industry, and in a number of other industrial branches. Special drives were carried out among agricultural workers, in fruit and vegetable packing, in the various branches of canning, and in a number of miscellaneous groups. Another campaign brought about the formation of the National Council of Office Workers, and organization was under way among newspaper writers and in other white-collar professions.

In every center and every corner of our industry and trade, in mining and manufacturing, in wholesale and retail distribution, in service trades and in professions, men and women who depended on wages for their livelihood responded to the call and joined hands with their fellow workers in one strong, united and growing labor movement. The purpose and the spirit

of united action and collective effort wrought by generations of trade unionists were being handed down to a mass of new recruits to bring forth new leadership from among their ranks.

In this great campaign, fought against heavy odds, our responsibility did not end with the mere increase in membership. To bring new workers into unions and leave them to struggle with their own problems would have been a false and empty gesture. Plans had to be devised and means had to be found to educate the new members to union methods and techniques. First and most important of all they had to learn self-government to be able to put the democratic process to a practical test in their own organizations. Their duties, responsibilities and obligations had to be outlined to make sure that they would be carried out. The methods of wage negotiations, grievance procedures, and collective bargaining had to be shown to workers newly elected to leadership to speak for the first time in their lives on behalf of all those they were chosen to represent.

How to prepare a proposed agreement? How to frame a seniority clause to insure an equitable procedure in hiring and discharge? How to frame wage and hour provisions? These and a multitude of other questions had to be answered to make the new organizations effective instrumentalities of collective bargaining. From the simplest rules of parliamentary procedure necessary to run a union meeting, to the most difficult questions taxing the skill of an accomplished negotiator—here was a large program of labor education which had to be covered in order to give

the newly formed organizations power and direction. A large force of organizers and experienced trade unionists was maintained by the Federation to carry on this vitally important work. Economic and statistical facts had to be assembled by skilled hands to give these workers knowledge and understanding of their problems and of the best methods to approach them.

It is important to remember that a major portion of this organizational and educational campaign was carried out long before the National Labor Relations Law was enacted and its constitutionality upheld. From 1933 through 1935 no effective legal restrictions were placed by the government upon the employers to mitigate their resistance to unions or to curb their repeated attacks. The success of our movement in surmounting these obstacles during this period was chiefly a result of the unity of purpose and the common goal of all its participants. That very singleness of our endeavor was not only our greatest strength but also our best assurance of continued progress.

But in the midst of our common effort to better the welfare of all workers came forth a man who sought other ends. Consumed with personal ambition, he gave the lie to the democratic process after it had rejected his leadership. He raised the voice of dualism and disunity, a voice which while pretending to unite sought to disrupt; a voice which while declaiming democratic ideals sought dictatorship. This man was John Lewis.

In the afternoon of Wednesday, October 16, 1935, delegate Lewis took the platform to address the fifty-fifth Annual Convention of the American Federation of Labor which was meeting at Atlantic City, N. J. He

arose to denounce the officers of the American Federation of Labor and to condemn their stewardship. He demanded that the Federation and all its unions change organizational methods and junk the entire structure of contractual obligations, rights and responsibilities built up by unions over a period of years through collective bargaining.

The question before the Convention was on the report of the Committee on Resolutions to which twenty-one different proposals dealing with organizational problems had been referred. Resolutions considered by the committee included a wide variety of suggestions as to the extent to which organizational plans of the Federation should be modified in the coming year. The committee gave painstaking consideration to all proposals. The Committee on Resolutions was composed of seventeen men representing labor in a wide variety of industries and trades. It included representatives of teamsters, ironmongers, molders, engineers, boot and shoe workers, commercial telegraphers, photoengravers, mine workers, printers, plumbers, garment workers, bakers, plasterers, painters and fire fighters. They were not only men skilled and experienced in trade union ways and organization procedures, but also red-blooded men, firm in their convictions, unhesitant to express and defend their views. The views of the committee were divided and two reports were filed.

The majority report reaffirmed the declaration of the preceding convention, which approved the continuance and extension of our organizing efforts in speci-

fied mass-production industries, but also insisted that the existing rights of trade unions organized on craft lines be safeguarded wherever the nature of the industry is such that the lines of demarcation between crafts are distinguishable. The minority report urged unrestricted and indiscriminate organizing of workers on industrial lines without regard to the rights of the existing craft unions.

Lewis was one of the minority on the committee and he urged the delegates to adopt the minority report from the floor of the Convention. After a thoroughgoing and exhaustive debate the delegates cast their votes and recorded their views on the minority report. The roll call brought 10,933 votes for, and 18,024 votes against its adoption. Thus the organizational policy of the American Federation of Labor for the ensuing year was irrevocably decided.

The Annual Convention is the supreme authority of the American Federation of Labor. Its policies are formulated, adopted or rejected after free discussion and ample debate in which delegates have full participation. The Convention of the American Federation of Labor is a democratic institution and the policies of the American Federation of Labor are formulated by majority rule. When the majority will of labor is expressed in the Convention it becomes law by which the whole of the American Federation of Labor is bound. For this is the democratic way and the only way in which the express will of the majority of labor can be carried into effect. This is the process which represents the essence of self-government. Destroy the

majority rule and you destroy self-government and bring anarchy in its place.

The Atlantic City Convention adjourned on October 19, 1935, and within three weeks a meeting was held in Washington at the offices of the United Mine Workers of America at which a committee was formed to be known as the Committee for Industrial Organization. The aim and purpose of this Committee was set forth in its first official publication: "Its purpose is that outlined in the minority report of the Resolutions Committee submitted to the Convention of the American Federation of Labor in Atlantic City."

Thus the purpose and the essence of the CIO was clearly defined in the very first official document issued by it. The objective of the CIO was to overrule the majority will of labor and to substitute minority rule. Its purpose was to set up an organization within the American Federation of Labor to force acceptance of the minority view and to impose the will of the minority on all.

John L. Lewis and seven other presidents of National and International Unions set themselves up as the organization which was to put this purpose into effect. To carry out its work and promote its objectives, Lewis placed at the disposal of the CIO the treasury of the United Mine Workers of America. In the first year and a half of the CIO's existence more than $2,000,000 were taken from the treasury of the Mine Workers to finance CIO activities. Thus out of the meager earnings of coal miners was financed the insurgent drive to divide the solid ranks of organized

labor and to establish the one-man rule of dictatorship for John L. Lewis.

Much has been said and written about the causes of division in the ranks of the labor movement. The claim made by the CIO leaders was that the issue which divided the labor movement was that of industrial versus craft unionism. Many writers, journalists and commentators who had no first-hand knowledge of the day-to-day workings of the labor movement, who had no understanding of the multiplicity of its problems and no basis to judge its prior achievements gave wide currency to this untruth.

The story of our labor movement itself, of the formation, construction and expansion of the American Federation of Labor, proves that the issue of industrial versus craft unionism is a false issue set up to conceal and obscure the real motives and objectives of the CIO leadership.

Past experience and existing conditions have shown that no rigid, inflexible policy of organization can be either formulated or applied if a national labor movement is to survive. And progress of our movement is possible only when it is based upon unity, solidarity and blended economic strength of the great variety of groups of wage earners embraced in labor's ranks. The whole record of organization and growth of the American Federation of Labor bears this out.

From the very outset, the American Federation of Labor has applied both craft and industrial forms of organization to meet most effectively special conditions in each situation. In fact the multiplicity in the forms

of organization has been much greater. Some unions included only the highly skilled mechanics in one trade and the helpers and apprentices in that trade. Others combined in their membership several related skilled occupations giving rise to the multiple craft union. In still other instances jurisdictions of unions were changed to include skilled as well as semiskilled workers to meet the shifting needs of modern industrial expansion and change. Thus the semi-industrial union was developed. Industrial unions have also been organized to fit the requirements of a particular problem. This form of industrial organization was accepted in the American Federation of Labor at an early date. The need of each organizing situation growing out of industrial development and the corresponding requirements of collective bargaining showed that organizational policies must be flexible and must not be supplanted by the rigid requirements of any arbitrary plan.

Those who favor the craft form of organization point out that in many situations it has distinct advantages. Skilled mechanics acquire their bargaining power after long periods of apprenticeship and training at their trade. If they are machinists, electricians or carpenters, their skill can be utilized in any industry, and in any establishment. If one plant shuts down they can transfer to another and retain the backing of their craft union to sustain their bargaining strength. Those who represent the craft form of organization insist that the skilled mechanic has the right to make the best use of his skill and the key position in the industry which he inevitably holds in negotiating wage contracts. They maintain that the skilled craftsman has

the right to use his skill as the means of achieving the most effective wage bargain and establishing the most satisfactory conditions of work. This, they hold, the craftsman can best accomplish through his association with his fellow workers and through the organization led by men brought up in the trade and steeped in the knowledge of its conditions and practices.

The proponents of the industrial form of organization, on the other hand, maintain that joint action on the part of all workers in an industry is essential to bring out to the fullest extent possible the economic strength of wage earners in that industry. They claim that the collective bargain is most equitable when the unskilled worker, the semiskilled worker and the skilled mechanic are represented in negotiations through one organization in which all are on the same footing.

The American Federation of Labor has recognized the justness of each view in particular situations and was compelled to deny it in others. It has also sought to bring out a combined form of organization known as the council type where industrial and craft unions act jointly through a single bargaining committee to make the best use of the bargaining process in the interests of all groups concerned.

The CIO persistently claimed that the cause of its defection from the American Federation of Labor was the craft character of the Federation's organizational policies. The entire history of the American Federation of Labor belies this assertion. For it was the American Federation of Labor that chartered the United Mine Workers of America as an industrial union. A large number of other unions were also organized by the

Federation on the industrial basis. Industrial or semi-industrial forms of organization were applied by the Federation in the brick and clay industry, in the textile industry, in the clothing industry and other industries for many years. Long before the CIO came into existence, the American Federation of Labor was organizing automobile, rubber, aluminum and other workers along industrial lines.

Despite the upheaval wrought in the labor movement, the Federation continued to adhere closely to this flexible, practical and just policy. The very story of our organizational drive of 1933-1935, briefly told in this chapter, furnishes ample evidence of the truth and significance of this assertion. I may add that as recently as in August 1939 the American Federation of Labor issued an industrial charter to a new International Union of cement workers, a union which in its progress and achievement within a short period of time by far exceeded any and all organizational efforts undertaken in any one industry under the guidance of the CIO.

At the same time the record shows that the CIO itself had no set and consistent policy with regard to industrial organization. One of its largest groups in the needle trades represented an amalgamation of many crafts. The CIO preached industrial organization but practised craft organization in many fields. It took over and continued the organization of radio telegraphers along craft lines. It attempted to seduce craft unions in the printing industry—an already highly organized field in which industrial organization was both unknown and unacceptable. Is the union of newspaper

reporters an industrial union? Is a union of die casters an industrial union? Is a union of architects an industrial union? Neither these nor other unions of highly skilled craftsmen promoted by the CIO are industrial unions. Their presence within the CIO belies the very name "the Congress of Industrial Organizations" and utterly disproves the claim that the issue of industrial versus craft unionism is the issue which the CIO has set out to settle.

Stripped of its mask, the CIO stands indicted by the judgment of American labor as an organization of workers misled by false claims into a movement whose real purpose is to enhance the power and perpetuate the will of a few self-seeking individuals who, as self-appointed spokesmen of these workers, can turn this power to their own selfish ends. Small wonder that the unions which finally discovered the true nature of the CIO began to desert its ranks in great masses. The textile workers, the ladies' garment workers, the automobile workers, and others have renounced their allegiance to the CIO and its bankrupt leadership.

What has the CIO achieved during the four years of its existence? It has done no organizing in any industry in which organization was not already carried on by the American Federation of Labor. Claiming at first to limit its activity to purely educational work, it emerged as an agency organized to raid the American Federation of Labor unions of their members and to sign up workers in all fields with little or no provision made to serve their needs. It has established dual unions everywhere, weakening the bargaining strength of the existing organizations and undermining the faith

of the workers in the trade union movement. It conducted sit-down strikes, and instead of educating the workers to the orderly procedures of organization and collective bargaining fundamental to our movement, it fanned the spirit of unbridled unrest among them, leading their unions to self-destruction.

The CIO has done untold harm to organized labor. It led the workers away from the battleground of collective bargaining, on which the union strength is most effective, into the morass of political activity. Its leadership tried to penetrate and gain control of government agencies themselves and sought to pervert the administration of the National Labor Relations Act.

Enemies of labor and their vassals were quick to take advantage of these acts of the CIO and to represent them as characteristic of all labor. The reaction was inevitable. Restrictive legislation was proposed and enacted in one state after another, striking at the very heart of labor's rights. For these wounds and these defeats labor places the full weight of responsibility upon the CIO.

It is vitally important to understand the real causes of these developments so that the future trends can be judged accordingly. The real issue underlying the split in the labor movement is the issue of self-government. The question in the entire controversy is broader and higher than the mere economic philosophies of individuals and groups within the labor movement. It goes beyond the question of organizational forms. It transcends and overshadows the personalities involved. It is the question of democracy itself.

The problem which this issue has presented to labor is whether or not the workers of the nation have the intelligence, the courage and the tolerance to meet through their chosen representatives, resolve their differences and get out on the field of economic battle to fight for the policies laid down by the majority will. The foundations of unionism in America rest upon the very principles upon which we have built our nation. United action by the whole group is the union. Such united action is impossible when the union is breached by minority dissent. The choice of the workers is between union and division. And as I look to the future, I know that I read rightly the hearts and the minds of the working men and women when I say that the union shall be their choice.

The danger of dualism in a labor movement at this crucial stage of our transition has already been recognized by most workers and will be recognized by all. Workers will search the record and determine the truth for themselves. They will reexamine pledges made on their behalf without their consent and distinguish between labor's real force of united collective action and the false call of political pressures alien to our movement.

But all this must be recognized not only by the workers who comprise the ranks of labor but also by those chosen to guide our state. For the future of our democratic government rests upon a democratic labor movement; and their common fate is inseparably intertwined. That is why at the end of a decade of struggle and transition and looking into the future years, I find it my

solemn duty to call upon the millions of union men and women to hold true democracy high in their ranks. For it is only a labor movement free from dictatorship, a labor movement which is governed by common consent, that can define and safeguard the future of democracy in America.

CHAPTER VI

THE UNION AND THE FUTURE OF DEMOCRACY

AGAIN great fear clutches the world. What we had hailed in two great countries of Europe as revolutions for democracy have turned into revolutions destructive of our old civilization. Two countries in the grip of power politics have overthrown the old order within their own territory. They have repudiated old standards of ethics, overthrown religion, and wrecked a social order that had evolved through centuries of ideals and through countless struggles to realize them. Freedom is no longer the objective of the state or the ideal of revolution; power, compulsion, regimentation are the new political and social procedures. The citizens and the resources of a nation are mobilized in accord with plans for national aggrandizement, terror, persecution, and perversion of technical progress to purposes of destruction that foreshadow the decline and demoralization of the nations.

Democracies, with their belief in private property and freedom for the individual, have founded a social order on principles of integrity and mutual good faith that rest upon respect for ethical standards. Democracies have sought progress through assuring constantly broadening groups the right to returns on the product of their labor. Our relations with our fellow men rest upon observance of accepted standards of behavior. The moment principles are renounced there is no guide for human relations. The chaos of savagery displaces

civilization. Now these revolutions have overrun national barriers. The answer of democracy must represent coordinated policy and authority.

The future of democracy on all continents as well as here in the United States lies largely in the hands of labor. Wage earners and their families constitute the great majority of the people. It is primarily the workers and the other under-privileged who gain new opportunity with each forward step in establishing for every human being real opportunity for his progress in all the relationships of our common life. Wage earners are helpless without the opportunity for progress which democracy provides. We want to see an end of starvation on this earth—whether starvation for food or for the opportunity of living a good life. This is our special interest. Democracy is not confined to the political or economic fields; it is a way of living applied to the whole of existence. It implies principles of freedom that must continuously be applied to human relationships under changing conditions. Democracy does not bring the dead-levels of regimentation, but experience with democratic procedures develops discrimination and the realization that identical provisions for all do not necessarily result in equal opportunity for all. Democracy assures individual freedom. To work out the transition from a social structure that provides special privilege for those in positions of power, to a social order providing equal opportunity for all, is something that challenges both our intelligence and our integrity of purpose.

The totalitarian state denies the competence of democracy either to maintain efficient government or to

plan and control its industries for the best service of society. Political chaos resulting from power politics and the struggle for domain together with world-wide depression gave opportunity to set up dictatorships in Europe with absolute political and economic control. Unrestricted power facilitates action.

Democracies, because applying the principles of representation and consent of the governed, move slowly in crises, but they have the strength inherent of cooperation in applying decisions reached by democratic channels. In the long run voluntary cooperation outlives the rule of force. Representation and majority rule are inseparable from democracy. Countries reluctant to work out their destinies have turned to dictators as an escape from the obligations of democracy. Instead of finding peaceful solutions for the political and economic problems of their countries, dictators relied on force and built up huge military reserves. As was inevitable, again within the span of twenty-five years Europe is plunged into the horrors of modern warfare and the peace of the world is threatened. The progress toward world democracy that we hoped for through the Versailles Treaty, which ended a war fought for democracy, was blocked by mistakes of the Treaty and the failure of the League of Nations to function in the spirit of democracy. It was hampered by the failure of some of the democracies to participate.

As labor in the United States again faces international problems and situations similar to those of the World War, we realize that democracy cannot be gained on the battlefield. Democracy gains opportunity only through agreements for cooperation established at

conference tables, and achieves reality in proportion as democratic principles control our thoughts and actions. Labor in the United States is not a sect or a class but a cross-section of our nation, sharing in national ideals but with a special passion for democracy born of our struggle to extend its application within our daily living. Absence of democratic opportunity has meant to us absence of economic security, denial of civil liberties, denial of safeguards for body and health in the workshops, meager provisions for our families and dependents. Opportunities for good living for labor in all its implications are tied up with understanding of the nature of democracy and application of its principles. Democracy rests upon recognition of the inherent worth of every individual and operates through social responsibility making available equal opportunities for progress for all.

Labor in the United States has been shocked at the ruthlessness of dictators in the totalitarian states of Europe, and we have made emphatic protests against their destruction of free trade unions and revolting brutalities in dealing with races and special groups. We hold, however, that responsibility for revolt against a government lies with the governed. The present conflict is European in origin and must be decided by those concerned. Democracy in Europe can be guaranteed only on a continental basis. Deeply as our emotions are touched by these events and by thought of future world relations as they may be affected by the results of the war, we in the United States have a prior responsibility to our own nation and to civilization which our forefathers founded on this continent and which

pioneers extended at the expense of their own security and comfort. Entanglement in the European war would involve us in European controversies probably at the cost of democracy in this country. The nature of war is hostile to democracy; emergency provisions, even though of a temporary nature, invariably modify national institutions.

It is my personal conviction that we in the United States should maintain strict neutrality in act and speech with respect to the war in Europe, although my sympathies in the contest are the reverse of neutral. Personally I should like to see our great democracy refuse to traffic in arms and the munitions of war. It is revolting to me that human beings make a livelihood or profit through these means for destroying life and civilization. But modern warfare makes it difficult to restrict the list of things that become in effect munitions of war, so that an effective embargo would paralyze our business economy. A more practical safeguard for our neutrality is to insist upon transfer of title of all munitions and contraband articles sold to belligerents before shipment in other than our boats and only cash transactions—the cash-and-carry plan. Neutrality assumes that we must not finance the belligerents.

Great Britain has proclaimed a list of contraband articles much more extensive than the list included under our arms embargo. The same list was also proclaimed by Germany. But if we attempt to sell contraband articles to belligerents or carry them in our ships as in normal commerce, we will subject our boats to search and seizure—a fruitful field for developing occasions for war. If we make up our minds to rely upon

international law and refer search and seizure issues to its channels, we greatly increase our opportunity for real neutrality. Strict neutrality of word and act must be maintained by every responsible official of our government.

If there is no profiteering in arms and munitions of war, the urge to transfer industry to a war-production basis will be retarded, and we shall have opportunity to return to normal in the service of civilian life. There must be real determination to prevent war profiteering through taxation, price control, or, if necessary, government operation. If we are really in earnest about taking the profits out of munition production we shall have to persist until we find an effective method. Government inspection and regulation are essential.

Another proposal which I advance as a contribution to more serious effort to maintain real neutrality is: Conscription for military service only for defense of our own country. No conscription for service in foreign countries. We have an obligation to defend our homes and homeland but none to seek redress of wrong or retribution in a foreign country by military force. Let us seek justice through the channels of justice.

But whether in peace or in war the major obligation we have as a people is to maintain principles of democracy within our own boundaries in order that justice may result from all of our dealings and that all may have that freedom in living that is essential to personal dignity. We scarcely realize the possibilities of democracy, and in practice we still deny to many equal opportunity for progress. But our vision of what democ-

racy offers to human beings is what binds us to our government and makes us proud to be citizens. It is this vision that makes ours a land of opportunity. Without it we would be poor in spirit.

Since the principles of democracy are our most precious heritage, established through a war for freedom and maintained even at the expense of civil warfare, it is our stern obligation to see to it that they are not lost during our stewardship. The essential principles are few and clear-cut:

First. The right of representation in order to have a voice in the determination of decisions affecting our welfare. This right of representation relates not only to the political field but wherever welfare is concerned. For labor, it refers first of all to the work relationship. The right of representation is barren unless it rests on free choice. In totalitarian countries the first move for dictatorship is suppression of free unions. Forewarned that this is the key to maintenance of democracy in the United States, it is my responsibility and the responsibility of all organized labor to keep our unions free, devoted to the ideals and practices of democracy within the union and in outside relations, truly representative of the needs and ideals of those who work for wages and dedicated to the welfare of wage earners as citizens of a democracy.

Second. Employer-employee or work relations should be defined in a work contract stipulating terms and conditions of work and machinery for adjusting differences arising under the contract. Such contracts must be negotiated by representatives of the parties con-

cerned. This principle should be applied whether employment is in private or public industry—or whether industry is under a peace or war economy.

Third. The functional elements in an industry are finance, management, production and sales to consumers. When functional agencies or boards are constituted for control purposes, such as the War Resources Board, all of these functional elements should have representation on that agency. Labor, which constitutes the operating staff of an industry, is also the most important resource of the nation and is entitled to representation under both considerations. It is self-evident that whenever a democratic government sets up an agency to deal with a problem, the welfare of its citizens is the primary concern. Labor, or those citizens directly concerned in operating an industry, should always have adequate representation on all governmental control or policy-making agencies.

Fourth. The strength of a nation, whether for constructive work or national defense, lies in the sureness with which it accords justice to all its people. The discrimination with which a democracy assures economic and personal justice within its own territory, is the measure of the power of the nation under emergencies. Whether for peace or war, we strengthen a nation when we remedy the causes of social and economic unrest.

Fifth. Democracy must not use the controls of dictators to mold public opinion and action. Decisions upon education should be made locally, and control over dissemination of information should be in the hands of voluntary organizations. Society should insist upon fair play, honesty and respect for facts.

The American Federation of Labor has earned the right to its acceptance as a tried American institution. Essentially democratic in spirit and in procedure, we have learned to look upon our interests and welfare as related to the interests and welfare of all others concerned in the same problems, and have sought progress through coordinated programs.

Over a period of six decades we have established principles of action and procedures that have demonstrated their usefulness by constructive results. Through union organization and collective bargaining, we created the agencies for justice and progress in the economic field, thus laying a foundation for a democratic way of life in this and related fields. Through legislation and political action we have functioned as citizens of a democracy, utilizing the constitutional methods available to promote our welfare. We have sought opportunity to participate with other citizens, not over any individuals or groups. Through legislation we have attempted to gain opportunity for progress and basic standards of social security. Under all circumstances we have sought to keep open opportunity for change and progress and have opposed regimentation and arbitrary control. We have regarded ourselves as a part of a nation and have tried to coordinate our welfare with the whole of social progress.

In the World War we served in the military forces and in the industries necessary for military and civilian life. While we tried to assure democracy to those for whom we were primarily responsible, we integrated our activity with purposes of national welfare. To our wartime policies is due a considerable measure of

credit for maintaining democratic procedure even under war administration.

In peak peacetime industrial prosperity, though harassed with un-American plans to displace free trade unions, the American Federation of Labor developed the procedures of union-management cooperation and proposed a partnership for labor in industries based upon the investment of their labor, skill and creative ability. Union-management cooperation enables labor to contribute more to management because mutuality of interests is accepted as the basis for cooperation. We made our contribution to efforts to set up industrial order through voluntary organization.

In the world depression that shattered the foundations of our industrial structure, we maintained our union organization and cooperated with the government to work out social control of industry through legislation. Our insistence upon equal opportunity for labor has been a bulwark against fascist or communist tendencies. With the right to membership in unions of our choice assured by the government, we hope progressively to realize the rich possibilities of a democratic way of living. Our own organizations are only chains of human hands, held together by common needs and objectives and dependent upon the integrity of the common cause for continued power and influence.

The American labor movement, with all its shortcomings and imperfections, is the keystone of democracy in our national life. I am proud to be in its service.

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